

**CITY OF AUSTIN
Board of Adjustment
Decision Sheet**

DATE: Monday, March 13, 2017

CASE NUMBER: C15-2016-0084

☐ - ☐ Brooke Bailey (Absent)
☒ William Burkhardt
☒ Eric Goff
☒ Melissa Hawthorne Motion to PP to April 10th (late time for ppmt)
☐ n ☐ Bryan King
☒ Don Leighton-Burwell
☒ Rahm McDaniel
☒ Melissa Neslund 2nd the Motion
☐ - ☐ Veronica Rivera out-not able to serve due to lack of training
☒ James Valadez
☐ - ☐ Michael Von Ohlen out-not able to serve due to lack of training
☒ Kelly Blume (Alternate)
☒ Martha Gonzalez (Alternate)
☒ Pim Mayo (Alternate)

OWNER/APPLICANT: Scott Jacobs

ADDRESS: 2003 ARPDAL ST

VARIANCE REQUESTED: The applicant has requested variance(s) to Section 25-2-492 (D) (Site Development Regulations) to:

A. decrease the minimum side setback from 5 feet (required/permitted) to 4.4 feet (requested, existing); and to

B. decrease the minimum rear setback from 10 feet (required/permitted) to 5.5 feet (requested, existing); and to

C. Section 25-2-774 (Two-Family Residential Use) (C) (2) (a) to decrease the minimum distance a second dwelling unit must be located from the primary structure from 10 feet (required) to 6 feet (requested/existing) in order to permit occupancy of an existing accessory structure and covered deck for use as a 2nd dwelling unit in a "SF-3", Family Residence zoning district.

BOARD'S DECISION: POSTPONED TO FEBRUARY 13, 2017 BY APPLICANT (RE-NOTICE NEEDED); Feb. 13, 2017 Board Member Brooke Bailey motion to Postpone to March 13, 2107, Board Member Melissa Hawthorne second on a 9-0 vote; POSTPONED to March 13, 2017.

RENOTIFICATION: March 13, 2017 The applicant has requested variance(s) to:

A. Section 25-2-492 (D) (Site Development Regulations) to decrease the minimum east side setback from 5 feet (required/permitted) to 4.4 feet (requested, existing); and to

B. decrease the minimum rear setback from 10 feet (required/permitted) to 5.5 feet (requested, existing); and to

C. decrease the minimum lot size from 5,750 square feet (required/permitted) to 5,500 square feet (requested, existing); and to

D. decrease the maximum building cover from 40% (required/permitted) to 41% (requested, existing); and to

E. decrease the maximum impervious cover from 45% (required/permitted) to 52% (requested, existing); and to

F. Section 25-2-774 (Two-Family Residential Use) (B) to decrease the minimum lot area for a two-family residential use from standard lot size of 5,750 square feet (required) to 5,540 square feet (requested, existing); and to

G. (C) (2) (a) to decrease the minimum distance a second dwelling unit must be located from the primary structure from 10 feet (required) to 6 feet (requested/existing) in order to permit occupancy of an existing accessory structure for use as a 2nd dwelling unit in a "SF-3", Family Residence zoning district.

BOARD'S DECISION: The public hearing was closed on Board Member Melissa Hawthorne motion to Postpone to April 10, 2017 (last postponement), Board Member Melissa Neslund second on a 10-1 vote (Board member Bryan King nay); **POSTPONED TO APRIL 10, 2017 (LAST POSTPONEMENT).**

FINDING:

1. The Zoning regulations applicable to the property do not allow for a reasonable use because:
2. (a) The hardship for which the variance is requested is unique to the property in that:
 - (b) The hardship is not general to the area in which the property is located because:
3. The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because:


Leane Heldenfels
Executive Liaison


William Burkhardt
Chairman

**CITY OF AUSTIN
Board of Adjustment
Decision Sheet**

DATE: Monday, February 13, 2017

CASE NUMBER: C15-2016-0084

☒ Y ☒ Brooke Bailey Motion to PP to 3-13-17
☒ Y ☒ Michael Benaglio
☒ Y ☒ William Burkhardt
☒ Y ☒ Eric Goff
☒ Y ☒ Melissa Hawthorne 2nd the Motion
☒ Y ☒ Bryan King
☒ Y ☒ Don Leighton-Burwell
☒ Y ☒ Rahm McDaniel
☒ Y ☒ Melissa Neslund
☐ - ☐ James Valadez Late
☐ - ☐ Michael Von Ohlen Late
☐ - ☐ Kelly Blume (Alternate)
☐ - ☐ Martha Gonzalez (Alternate)

OWNER/APPLICANT: Scott Jacobs

ADDRESS: 2003 ARPDAL ST

VARIANCE REQUESTED: The applicant has requested variance(s) to Section 25-2-492 (D) (Site Development Regulations) to:

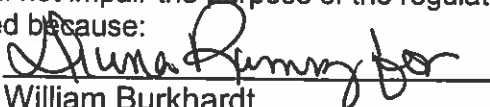
- A. decrease the minimum side setback from 5 feet (required/permitted) to 4.4 feet (requested, existing); and to
 - B. decrease the minimum rear setback from 10 feet (required/permitted) to 5.5 feet (requested, existing); and to
 - C. Section 25-2-774 (Two-Family Residential Use) (C) (2) (a) to decrease the minimum distance a second dwelling unit must be located from the primary structure from 10 feet (required) to 6 feet (requested/existing)
- in order to permit occupancy of an existing accessory structure and covered deck for use as a 2nd dwelling unit in a "SF-3", Family Residence zoning district.

BOARD'S DECISION: POSTPONED TO FEBRUARY 13, 2017 BY APPLICANT (RE-NOTICE NEEDED); Feb. 13, 2017 Board Member Brooke Bailey motion to Postpone to March 13, 2107, Board Member Melissa Hawthorne second on a 9-0 vote; POSTPONED to March 13, 2017.

FINDING:

1. The Zoning regulations applicable to the property do not allow for a reasonable use because:
2. (a) The hardship for which the variance is requested is unique to the property in that:
(b) The hardship is not general to the area in which the property is located because:
3. The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because:


Leane Heldenfels
Executive Liaison


William Burkhardt
Chairman

C15-2016-0084

Heldenfels, Leane

From: Scott Jacobs <[REDACTED]>
Sent: Tuesday, February 28, 2017 2:15 PM
To: Heldenfels, Leane
Subject: Re: Draft notice for 2003 Arpdale 3/13 Board of Adjustment hearing
Attachments: BOA Variance Appocation - 2003 Arpdale - Updated 2.28.17 - Feb 28 2017 - 2-55 PM.pdf

Hi Leane,

Please see attached for the updated application. **NOTE: The lot size in the variance request (section E) needs to be updated from 5540 to 5500.** That's the only big change. My calculations on building and impervious coverage came out lower than your calculations, but it's probably better to stick with your numbers to play it safe. I suppose the worst case is that the board negotiates that number lower. Do I run the risk of the board rejecting the entire variance request or do they can vote on each sub-topic in my variance request?

Will you also please take note to request a postponement at the March meeting based on the following:

- Prior two postponements have been requested due to discrepancies in the City of Austin's data, not for personal reasons.
- This is the first postponement I have requested due to personal needs. I will be on a school trip with the Yale MBA Program in March.
- I already have a flight booked for the April meeting
- The owner let the STR permit expire at the outset of these permitting issues. The back house has not been used as a short term rental in over 2 years.

I'm going to try to get someone from Friends of Zilker to represent me if there is opposition for my postponement requested.

Thanks again for all your help. I'm looking forward to seeing you at the April meeting.

Best,
 Scott

On Wed, Feb 22, 2017 at 5:46 PM, Scott Jacobs <[REDACTED]> wrote:
 Thanks Leane - I'll be sure to send something back to you by then.

Scott Jacobs
214-908-0770

On Feb 22, 2017, at 5:40 PM, Heldenfels, Leane <Leane.Heldenfels@austintexas.gov> wrote:

Monday, end of day

From: Scott Jacobs <[REDACTED]>
Sent: Wednesday, February 22, 2017 4:40 PM



CITY OF AUSTIN
Development Services Department
 One Texas Center | Phone: 512.978.4000
 505 Barton Springs Road, Austin, Texas 78704



Board of Adjustment General/Parking Variance Application

WARNING: Filing of this appeal stops all affected construction activity.

This application is a fillable PDF that can be completed electronically. To ensure your information is saved, [click here to Save](#) the form to your computer, then open your copy and continue.

The Tab key may be used to navigate to each field; Shift + Tab moves to the previous field. The Enter key activates links, emails, and buttons. Use the Up & Down Arrow keys to scroll through drop-down lists and check boxes, and hit Enter to make a selection.

The application must be complete and accurate prior to submittal. *If more space is required, please complete Section 6 as needed.* All information is required (if applicable).

For Office Use Only

Case # C15-2016-084 Row # _____ Tax # _____

Section 1: Applicant Statement

Street Address: 2003 Arpdale St

Subdivision Legal Description:

W 55FT OF LOT 16 BLK 8 RABB INWOOD HILLS

Lot(s): W 55FT OF LOT 16 Block(s): 8

Outlot: _____ Division: _____

Zoning District: SF-3

I/We Scott Jacobs on behalf of myself/ourselves as
 authorized agent for Scott Jacobs affirm that on
 Month February, Day 28, Year 2017, hereby apply for a hearing before the
 Board of Adjustment for consideration to (select appropriate option below):

☐ Erect ☐ Attach ☐ Complete ☐ Remodel ☒ Maintain ☐ Other: _____

Type of Structure: Accessory Dwelling Unit

Portion of the City of Austin Land Development Code applicant is seeking a variance from:

Section 25-2- 492 (D) to decrease the min east side setback from 5 ft to 4.4 ft; decrease the min rear setback from 10 feet to 5.5 ft; decrease the max building cover from 40% to 41%; decrease the max impervious cover from 45% to 52%; Section 25-2- 774 (B) decrease the min lot area of two-family residential use from 5750 to 5500 sq ft; (C)(2)(a) to decrease (see below)

Section 2: Variance Findings

The Board must determine the existence of, sufficiency of, and weight of evidence supporting the findings described below. Therefore, you must complete each of the applicable Findings Statements as part of your application. Failure to do so may result in your application being rejected as incomplete. Please attach any additional supporting documents.

NOTE: The Board cannot grant a variance that would provide the applicant with a special privilege not enjoyed by others similarly situated or potentially similarly situated.

I contend that my entitlement to the requested variance is based on the following findings:

Reasonable Use

The zoning regulations applicable to the property do not allow for a reasonable use because:

The existing accessory structure was constructed in 1949 and remodeled at least once in the 1990's. The exact year is unknown. Permit history suggests work on the accessory structure began in 1990. When the property was purchased by the current owner in 2011, the owner was not informed that the accessory structure was not compliant with city code. There are no public records or any signs that suggest the secondary dwelling has been a problem for the neighborhood.

Hardship

a) The hardship for which the variance is requested is unique to the property in that:

Not all lots in the area have a structure built in 1949 that was converted to a secondary dwelling unit in the 1990's. Poor construction record keeping and poor permit enforcement resulted in the new owner inheriting an unpermitted dwelling.
The construction required to eradicate the issue would cause unwarranted noise disturbance and traffic for the neighborhood.

b) The hardship is not general to the area in which the property is located because:

Lots in my area do not have a garage built in 1949 in the rear of their property that are of sufficient size to be converted into a secondary dwelling unit.

Area Character

The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because:

The front residence, built in 1949, and rear residence have existed in their current configuration since the 1990's and, as such, have been in keeping with the character of the area adjacent to the property.

Parking (additional criteria for parking variances only)

Request for a parking variance requires the Board to make additional findings. The Board may grant a variance to a regulation prescribed in the City of Austin Land Development Code Chapter 25-6, Appendix A with respect to the number of off-street parking spaces or loading facilities required if it makes findings of fact that the following additional circumstances also apply:

1. Neither present nor anticipated future traffic volumes generated by the use of the site or the uses of sites in the vicinity reasonably require strict or literal interpretation and enforcement of the specific regulation because:

2. The granting of this variance will not result in the parking or loading of vehicles on public streets in such a manner as to interfere with the free flow of traffic of the streets because:

3. The granting of this variance will not create a safety hazard or any other condition inconsistent with the objectives of this Ordinance because:

4. The variance will run with the use or uses to which it pertains and shall not run with the site because:

Section 3: Applicant Certificate

I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Applicant Signature:  Date: 02/27/2017

Applicant Name (typed or printed): Scott Jacobs

Applicant Mailing Address: 2003 Arpdale St. Unit B


City: Austin State: TX Zip: 78704

Phone (will be public information): (214) 908-0770

Email (optional – will be public information): _____

Section 4: Owner Certificate

I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Owner Signature:  Date: 02/27/2017

Owner Name (typed or printed): Scott Jacobs

Owner Mailing Address: Same as above

City: _____ State: _____ Zip: _____

Phone (will be public information): _____

Email (optional – will be public information): _____

Section 5: Agent Information

Agent Name: _____

Agent Mailing Address: _____

City: _____ State: _____ Zip: _____

Phone (will be public information): _____

Email (optional – will be public information): _____

Section 6: Additional Space (if applicable)

Please use the space below to provide additional information as needed. To ensure the information is referenced to the proper item, include the Section and Field names as well (continued on next page).

Continued from variance requested:
to decrease the minimum distance a second dwelling unit must be located from the primary
structure from 10 feet to 6 feet.

Additional Space (continued)

These variance requests are all to permit occupancy of an existing accessory structure for use as a 2nd dwelling unit in a "SF-3" Family Residence zoning district.

Lined area for additional text or notes.

SAVE

Revised 2/9/17

L1/10

- GAS METER
- PIPE PND.
- UTILITY POLE

SURVEYOR'S NOTES

() DENOTES RECORDED INFORMATION

[1] BUILDING LINE PER VOL 621, PG. 408

THIS MAP DOES NOT REFLECT BUILDING REQUIREMENTS WHICH MAY BE IMPOSED BY THE LOCAL GOVERNING AUTHORITY OR HOME OWNER'S ASSOCIATION.

ACCORDING TO FIRST AMERICAN TITLE INSURANCE CO. TITLE COMMITMENT OF #858704-AUG3 THE WEST 50 FT. OF LOT 18 IS SUBJECT TO THE BUILDING LINES, ESMAT, RIGHTS AND RESTRICTIONS AS STATED IN ESK 4, PG. 73 VOL 621, PG. 408

ESMAT, RESEARCH PERFORMED BY ALL POINTS AND THE UNDERSIGNED SURVEYOR WAS LIMITED TO INFORMATION SUPPLIED BY FIRST AMERICAN TITLE INSURANCE CO. PER COMMITMENT OF #858704-AUG3, PARAGRAPH NO. 1C

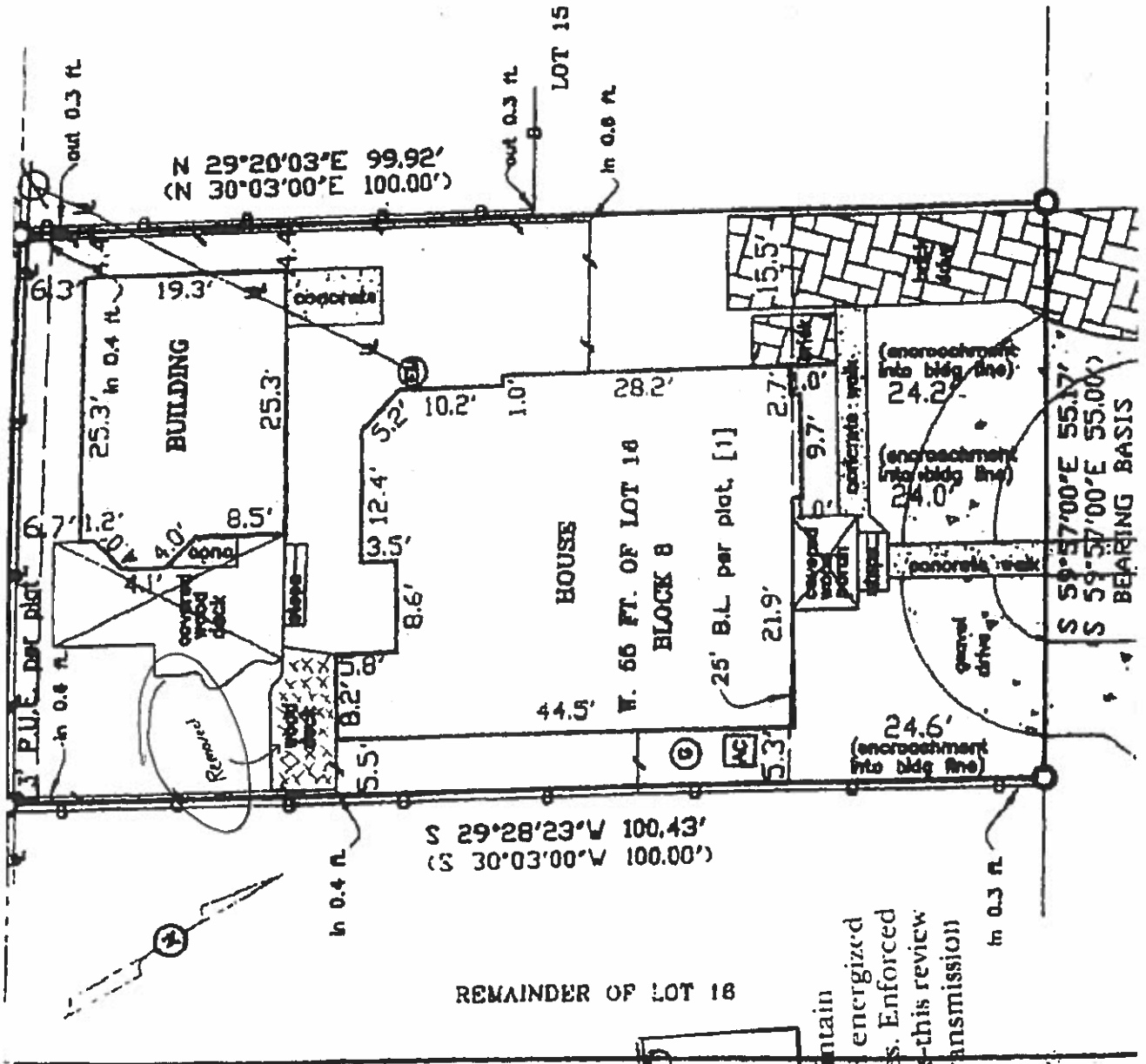
ALL POINTS DOES NOT MAKE OR WARRANT ANY FLOOD ZONE DETERMINATION.

THE DISTANCES BETWEEN LOT LINES AND FENCES (SHOWN HEREIN) ARE TO THE CENTER OF THE FENCE.

Scale 1"=150'

Site Plan
design

N.P. AT 7/2/16



APPROVED

7 2016

8 319

RB

must maintain from all energized power lines. Enforced SC codes - this review include transmission

RECEIVED
FEB 10 2016

**CITY OF AUSTIN
Board of Adjustment
Decision Sheet**

DATE: Monday, August 8, 2016

CASE NUMBER: C15-2016-0084

☐ y ☐ Brooke Bailey
☐ y ☐ Michael Benaglio
☐ y ☐ William Burkhardt
☐ y ☐ Eric Goff 2nd the Motion
☐ y ☐ Melissa Hawthorne
☐ n ☐ Bryan King
☐ y ☐ Don Leighton-Burwell
☐ - ☐ Rahm McDaniel (out)
☐ y ☐ Melissa Neslund
☐ y ☐ James Valadez
☐ y ☐ Michael Von Ohlen Motion to PP to Feb 13, 2016
☐ y ☐ Kelly Blume (Alternate)

OWNER/APPLICANT: Scott Jacobs

ADDRESS: 2003 ARPDAL ST

VARIANCE REQUESTED: The applicant has requested variance(s) to Section 25-2-492 (D) (Site Development Regulations) to:

A. decrease the minimum side setback from 5 feet (required/permitted) to 4.4 feet (requested, existing); and to

B. decrease the minimum rear setback from 10 feet (required/permitted) to 5.5 feet (requested, existing); and to

C. Section 25-2-774 (Two-Family Residential Use) (C) (2) (a) to decrease the minimum distance a second dwelling unit must be located from the primary structure from 10 feet (required) to 6 feet (requested/existing)

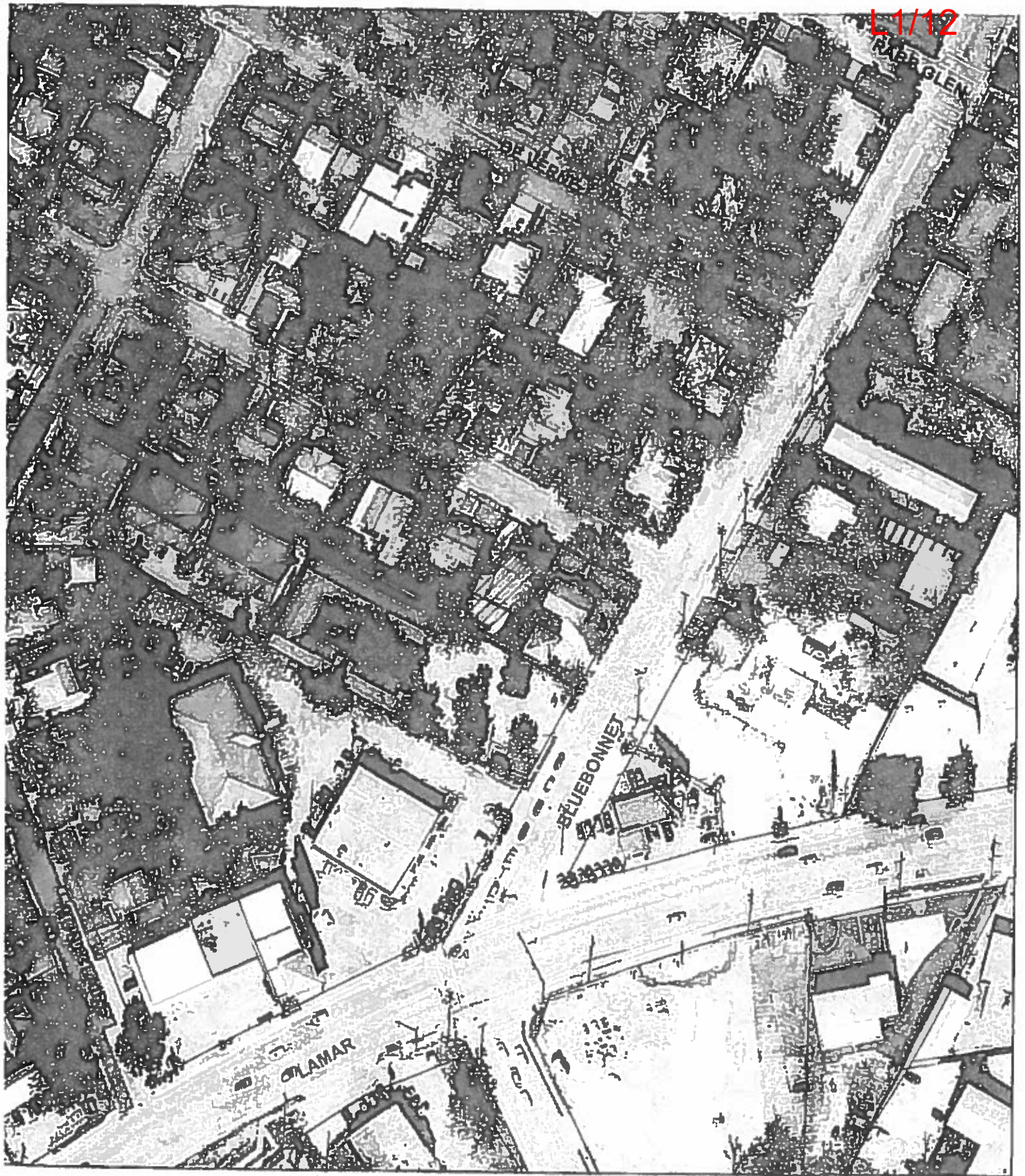
in order to permit occupancy of an existing accessory structure and covered deck for use as a 2nd dwelling unit in a "SF-3", Family Residence zoning district.




BOARD'S DECISION: POSTPONED TO FEBRUARY 13, 2017 BY APPLICANT (RE-NOTICE NEEDED)

FINDING:

1. The Zoning regulations applicable to the property do not allow for a reasonable use because:
2. (a) The hardship for which the variance is requested is unique to the property in that:

L1/12



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

NOTIFICATIONS

CASE#: C15-2016-0084
LOCATION: 2003 Arpdale Street



This product is for informational purposes and may not have been prepared for or be suitable for legal engineering or surveying purposes. It does not represent an on the ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by CTH for the sole purpose of geographic reference. No warranty is made by the City of Austin or its employees.

1" = 113'



CITY OF AUSTIN

Development Services Department

One Texas Center | Phone: 512.978.4000

505 Barton Springs Road, Austin, Texas 78704

Board of Adjustment General/Parking Variance Application

WARNING: Filing of this appeal stops all affected construction activity.

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The Tab key may be used to navigate to each field; Shift + Tab moves to the previous field. The Enter key activates links, emails, and buttons. Use the Up & Down Arrow keys to scroll through drop-down lists and check boxes, and hit Enter to make a selection.

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For Office Use Only

Case # C15-2016-1084 ROW # _____ Tax # _____

Section 1: Applicant Statement

Street Address: 2003 Arpdale St

Subdivision Legal Description:

W 55FT OF LOT 16 BLK 8 RABB INWOOD HILLS

Lot(s): W 55FT OF LOT 16

Block(s): 8

Outlot: _____

Division: _____

Zoning District: SF-3

I/We Scott Jacobs on behalf of myself/ourselves as
authorized agent for Scott Jacobs affirm that on
Month July, Day 22, Year 2016, hereby apply for a hearing before the
Board of Adjustment for consideration to (select appropriate option below):

☐ Erect ☐ Attach ☐ Complete ☐ Remodel ☒ Maintain ☐ Other: _____

Type of Structure: Accessory Dwelling Unit

Portion of the City of Austin Land Development Code applicant is seeking a variance from:

Property Setback Requirement LDC 25-2-492

Section 2: Variance Findings

The Board must determine the existence of, sufficiency of, and weight of evidence supporting the findings described below. Therefore, you must complete each of the applicable Findings Statements as part of your application. Failure to do so may result in your application being rejected as incomplete. Please attach any additional supporting documents.

NOTE: The Board cannot grant a variance that would provide the applicant with a special privilege not enjoyed by others similarly situated or potentially similarly situated.

I contend that my entitlement to the requested variance is based on the following findings:

Reasonable Use

The zoning regulations applicable to the property do not allow for a reasonable use because:

The existing accessory structure was constructed in 1949 and remodeled at least once in the 1990's. The exact year is unknown. Permit history suggests work on the accessory structure began in 1990 and ended in 1997. The accessory structure is the primary reason I purchased the property in 2011. I was not informed that the accessory structure was not compliant with city code. If the structure is forced to be compliant with setback requirements, it will need to be demolished completely.

Hardship

a) The hardship for which the variance is requested is unique to the property in that:

I purchased the property with the intention of having a second dwelling unit in order to accomodate the housing needs of extended family. Demolition of the accessory dwelling unit would create fewer options for my family and unnecessary environmental hazards for my neighbors.

b) The hardship is not general to the area in which the property is located because:

It was reasonable to awssume the property I purchased was compliant with current city code. I have no intention to modify the structures on the property which have existed with the current footprint for approxiamtely 20 years. The set back issues were brought to my attention by a city of Austin code enforcement officer and since that time I have been working to seek a resolution that will create the least disruption for my neighbors and my self.

Area Character

The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because:

The front residence, built in 1949, and rear residence have existed in their current configuration since the 1990's and, such as, have been in keeping with the character of the area adjacent to the property.

Parking (additional criteria for parking variances only)

Request for a parking variance requires the Board to make additional findings. The Board may grant a variance to a regulation prescribed in the City of Austin Land Development Code Chapter 25-6, Appendix A with respect to the number of off-street parking spaces or loading facilities required if it makes findings of fact that the following additional circumstances also apply:

1. Neither present nor anticipated future traffic volumes generated by the use of the site or the uses of sites in the vicinity reasonably require strict or literal interpretation and enforcement of the specific regulation because:

This is an existing structure and has been used as an accessory dwelling for well over 10 years. No additional traffic or parking changes will occur.

2. The granting of this variance will not result in the parking or loading of vehicles on public streets in such a manner as to interfere with the free flow of traffic of the streets because:

This is an existing structure and has been used as an accessory dwelling for well over 10 years. No additional traffic or parking changes will occur.

3. The granting of this variance will not create a safety hazard or any other condition inconsistent with the objectives of this Ordinance because:

This is an existing structure and has been used as an accessory dwelling for well over 10 years. No additional traffic or parking changes will occur.

4. The variance will run with the use or uses to which it pertains and shall not run with the site because:

This is an existing structure and has been used as an accessory dwelling for well over 10 years. No additional traffic or parking changes will occur.

Section 3: Applicant Certificate

I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Applicant Signature: Date: 5/26/16Applicant Name (typed or printed): Scott JacobsApplicant Mailing Address: 2003 Arpdale St. Unit BCity: AustinState: TXZip: 78704Phone (will be public information): (214) 908-0770

Email (optional – will be public information): _____

Section 4: Owner Certificate

I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Owner Signature: Date: 5/26/16Owner Name (typed or printed): Scott JacobsOwner Mailing Address: same as above

City: _____

State: _____

Zip: _____

Phone (will be public information): _____

Email (optional – will be public information): _____

Section 5: Agent Information

Agent Name: _____

Agent Mailing Address: _____

City: _____

State: _____

Zip: _____

Phone (will be public information): _____

Email (optional – will be public information): _____

Section 6: Additional Space (if applicable)

Please use the space below to provide additional information as needed. To ensure the information is referenced to the proper item, include the Section and Field names as well (continued on next page).

Please do not cash the application fee until necessary. I believe that I can get over 80% of my neighbors to support this application for variance.

CITY OF AUSTIN DEVELOPMENT WEB MAP








L1/17

Surrounding

structures



Legend

-  Lot Lines
-  Streets
-  Building Footprints
-  Named Creeks
-  Lakes and Rivers
-  Parks
-  County

THIS PRODUCT IS FOR INFORMATIONAL PURPOSES AND MAY NOT HAVE BEEN PREPARED FOR OR BE SUITABLE FOR LEGAL, ENGINEERING, OR SURVEYING PURPOSES. IT DOES NOT REPRESENT AN ON-THE-GROUND SURVEY AND REPRESENTS ONLY THE APPROXIMATE RELATIVE LOCATION OF PROPERTY BOUNDARIES. THIS PRODUCT HAS BEEN PRODUCED BY THE CITY OF AUSTIN FOR THE SOLE PURPOSE OF GEOGRAPHIC REFERENCE. NO WARRANTY IS MADE BY THE CITY OF AUSTIN REGARDING SPECIFIC ACCURACY OR COMPLETENESS.

1997 Aerial

CITY OF AUSTIN DEVELOPMENT WEB MAP



Legend

Lot Lines

Streets

Building Footprints

Named Creeks

Lakes and Rivers

Parks

County

L1/18

THIS PRODUCT IS FOR INFORMATIONAL PURPOSES AND MAY NOT HAVE BEEN PREPARED FOR OR BE SUITABLE FOR LEGAL, ENGINEERING, OR SURVEYING PURPOSES. IT DOES NOT REPRESENT AN ON THE GROUND SURVEY AND REPRESENTS ONLY THE APPROXIMATE RELATIVE LOCATION OF PROPERTY BOUNDARIES. THIS PRODUCT HAS BEEN PRODUCED BY THE CITY OF AUSTIN FOR THE SOLE PURPOSE OF GEOGRAPHIC REFERENCE. NO WARRANTY IS MADE BY THE CITY OF AUSTIN REGARDING SPECIFIC ACCURACY OR COMPLETENESS.

[illegible]

DATE MAY 25 2011
NVL BOOKS
NEW LIB

DE LA VEGA PLAN DESIGN
200 CLARKSON
SAY BROOK, NY 11790
210 908 8342
DANIEL@DELAVEGA.COM

✓	WOOD, Z
✓	CHAIN LINK
✓	UTILITY LINE
	A/C UNIT
<input checked="" type="checkbox"/>	CLAC. METER
<input checked="" type="checkbox"/>	GAS METER
<input type="checkbox"/>	PIPE PRO.
<input checked="" type="checkbox"/>	UTILITY POL.

SURVEYOR'S NOTES

- () CHECKS RECORD INFORMATION

THIS MAP DOES NOT REFLECT BUILDING REQUIREMENTS WHICH MAY BE IMPOSED BY THE LOCAL GOVERNING AUTHORITY OR HOME OWNERS ASSOCIATION.

ACCORDING TO FIRST AMERICAN TITLE INSURANCE CO.
TITLE COMMITTEE OF 604-704-4403
THE REST OF IT OF 107 18 IS SUBJECT TO THE
BUILDING LINES, EASE, RIGHTS AND RESTRICTIONS
AS STATED IN
ENC. 4, PG. 73
VOL. 831, PG. 408

ENT. RESEARCH PERFORMED BY ALL
POINTS AND THE UNDERGROUND SERVICE
WAS LIMITED TO INFORMATION GATHERED
BY FIRST ALPHABETIC TITLE RESERVE CO. FOR
COMMITTEE OF PROGRESS-NUCLEON, PARAGRAPH NO. 12

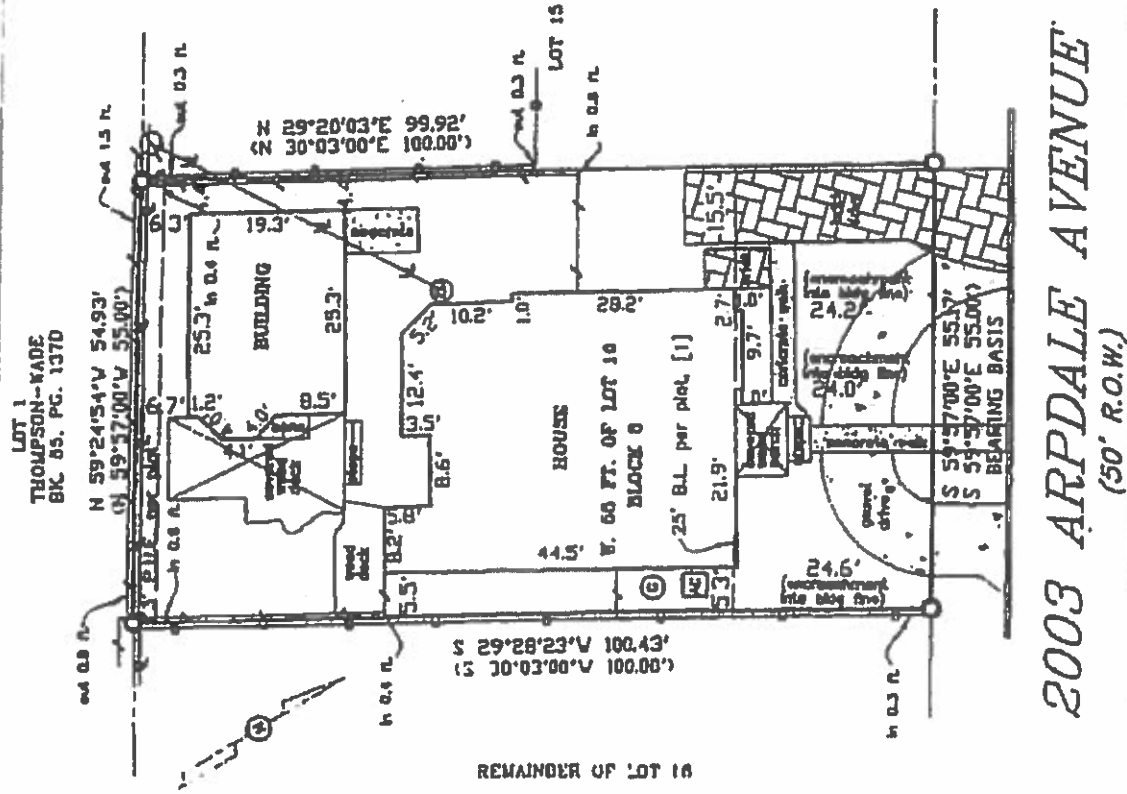
ALL POINTS DOES NOT HAVE
OR WARRANT ANY FLOOD
ZINE DETERMINATION.

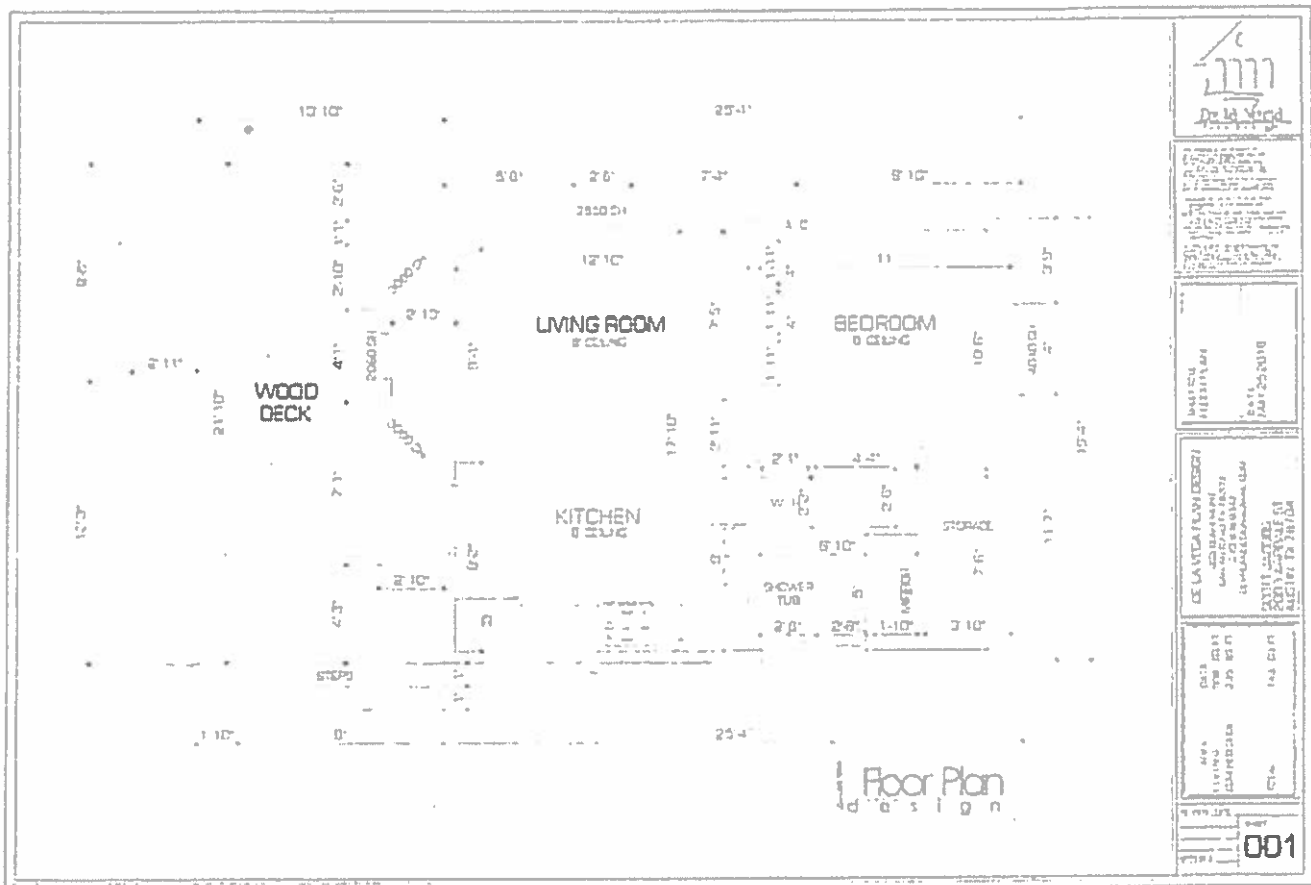
THE DISTANCE BETWEEN LOT LINES AND
FENCES (SHOWN HEREIN) ARE TO
THE CENTER OF THE FENCE

Design Site Plan

AC 551k

7/3/07





July 20th, 2016

Members of the Board,

I, Scott Jacobs, purchased 2003 Arpdale St. in 2011. I was not informed at the time of purchase that my accessory dwelling unit was not compliant with city of Austin building code.

According to the city of Austin aerial photographs, permit history of my property, and Travis County records, it appears that the second dwelling unit was originally constructed in 1949 most likely as a detached garage. This detached garage was converted to a dwelling unit sometime in the 1990's. In 2007, a new roof on the front house was permitted with the city of Austin. There are no expired permits connected to 2003 Arpdale St.

I am requesting 3 minor variances which are detailed in the evidence packet in order to maintain the existing footprint of the accessory dwelling structure which has been in the same place for 57 years.

I originally purchased 2003 Arpdale St. with the intention of having a housing option for my grandmother. She is living independently at age 92 but will soon need to downsize from the large house in which she currently resides. The accessory dwelling unit is intended for her, but I currently use it as my homestead for the time being since the main house is leased as a long term rental.

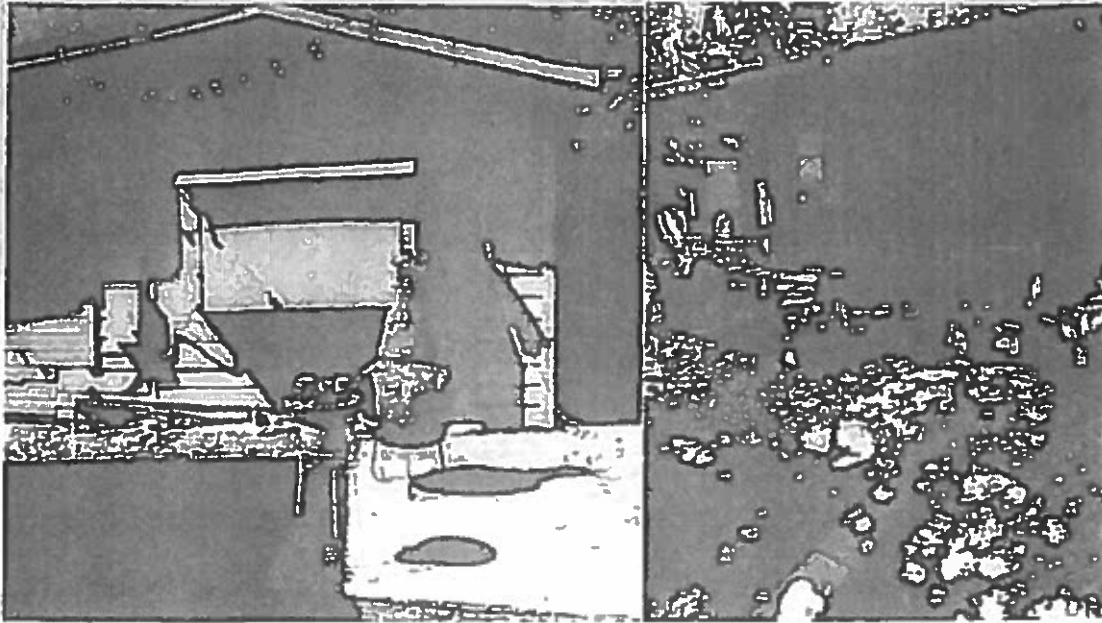
I respectfully ask the board to allow the accessory dwelling unit to remain in place.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott Jacobs", written in a cursive style.

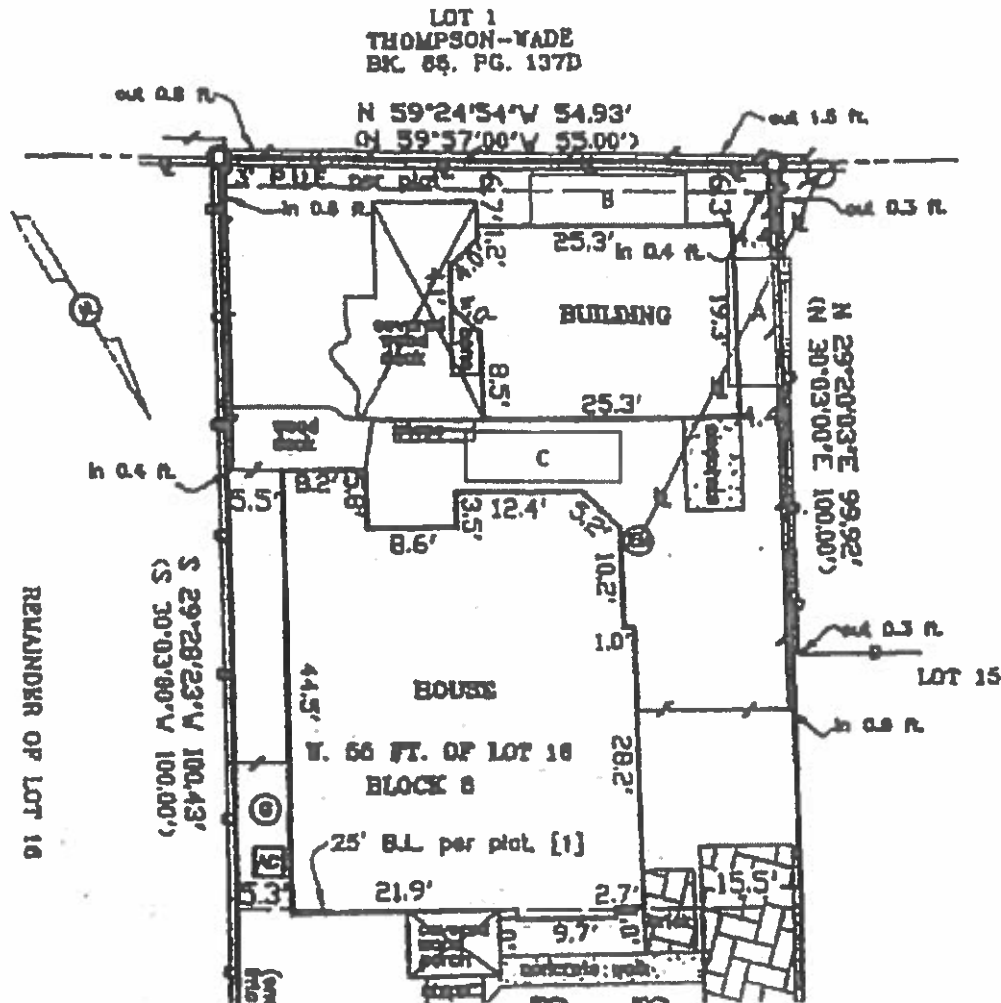
Scott Jacobs

History of 2003 Arpdale Unit B



- Structure was built in 1949
- Previous owner converted the garage to an ADU in the 90's
- Property was purchased in 2011
- Unaware the ADU was not compliant with Austin Code
- Intended use was to be my homestead and eventually serve as a residence for my aging grandmother
- Currently used as my homestead

LOT 1
THOMPSON-YADE
BK. 85. PG. 137D



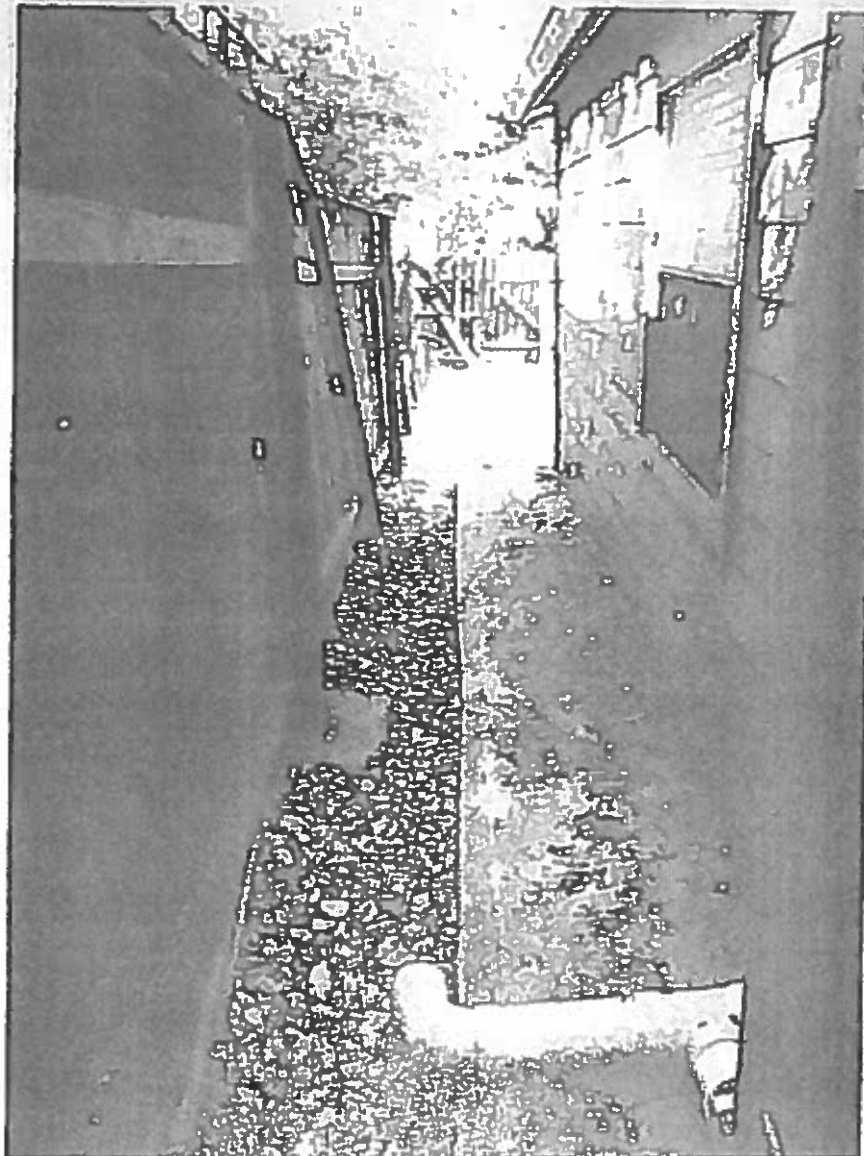
Variance request to Section 25-2-492 (D)

- A) Decrease the minimum side setback from 5ft to 4.4ft
B) Decrease the minimum rear setback from 10ft to 5.5ft

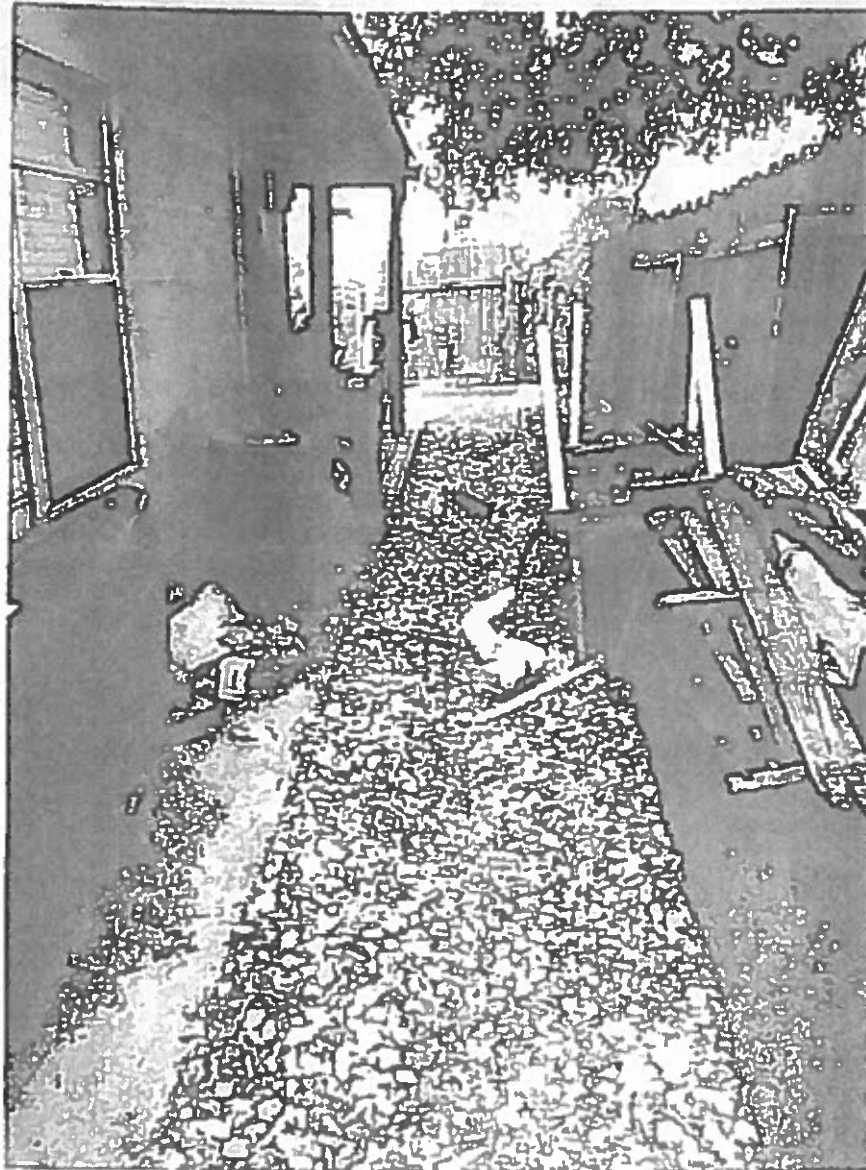
Variance request to Section 25-2-774 (C) (2) (a)

- C) Decrease the minimum distance a second dwelling unit must be located from the primary structure from 10ft to 6ft

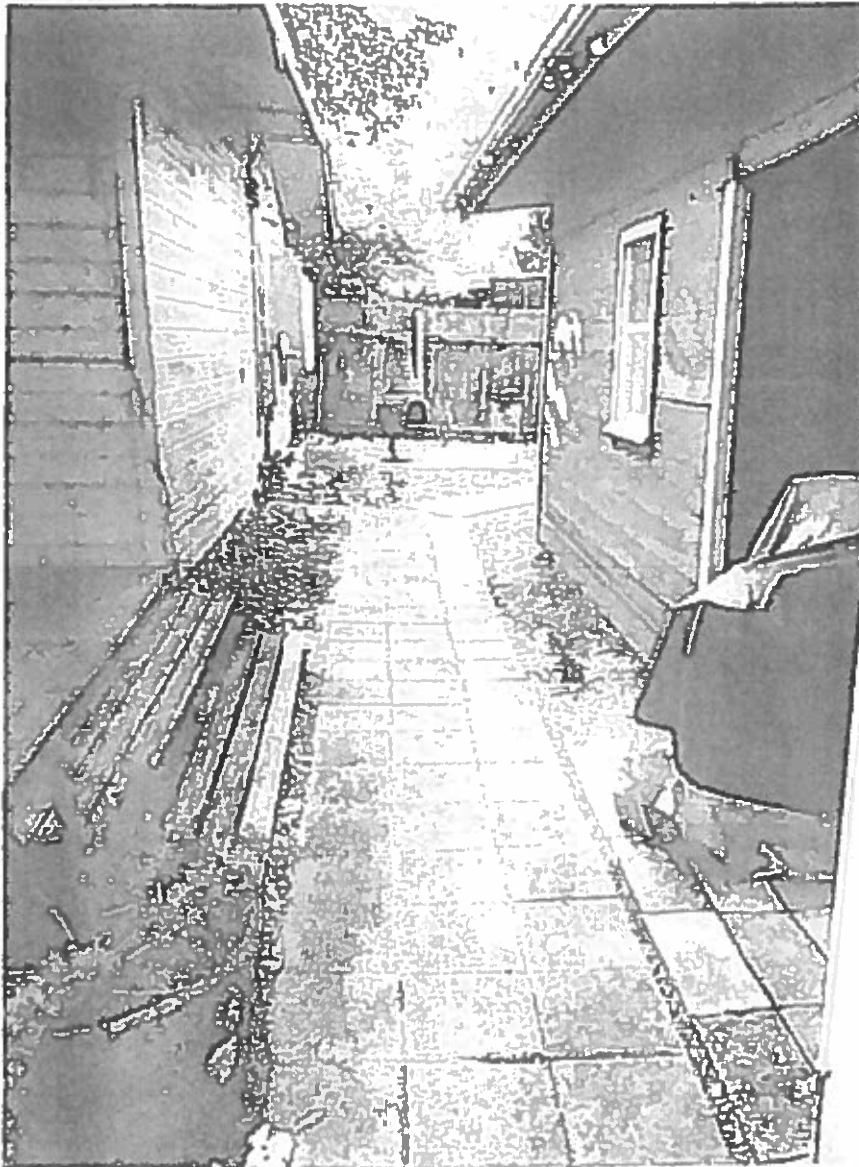
**A) Request to decrease the minimum
side setback from 5ft to 4.4ft**



B) Request to Decrease the minimum rear setback from 10ft to 5.5ft

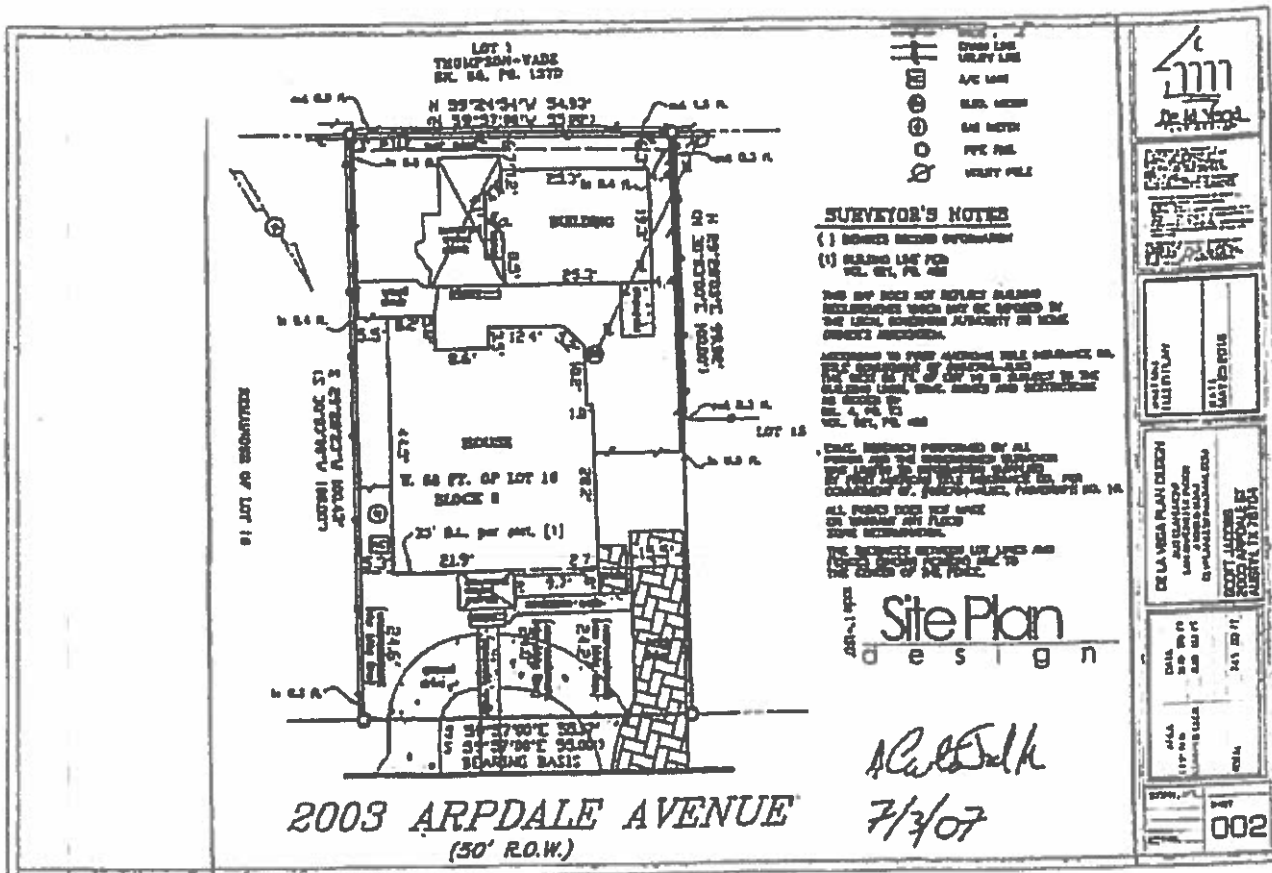


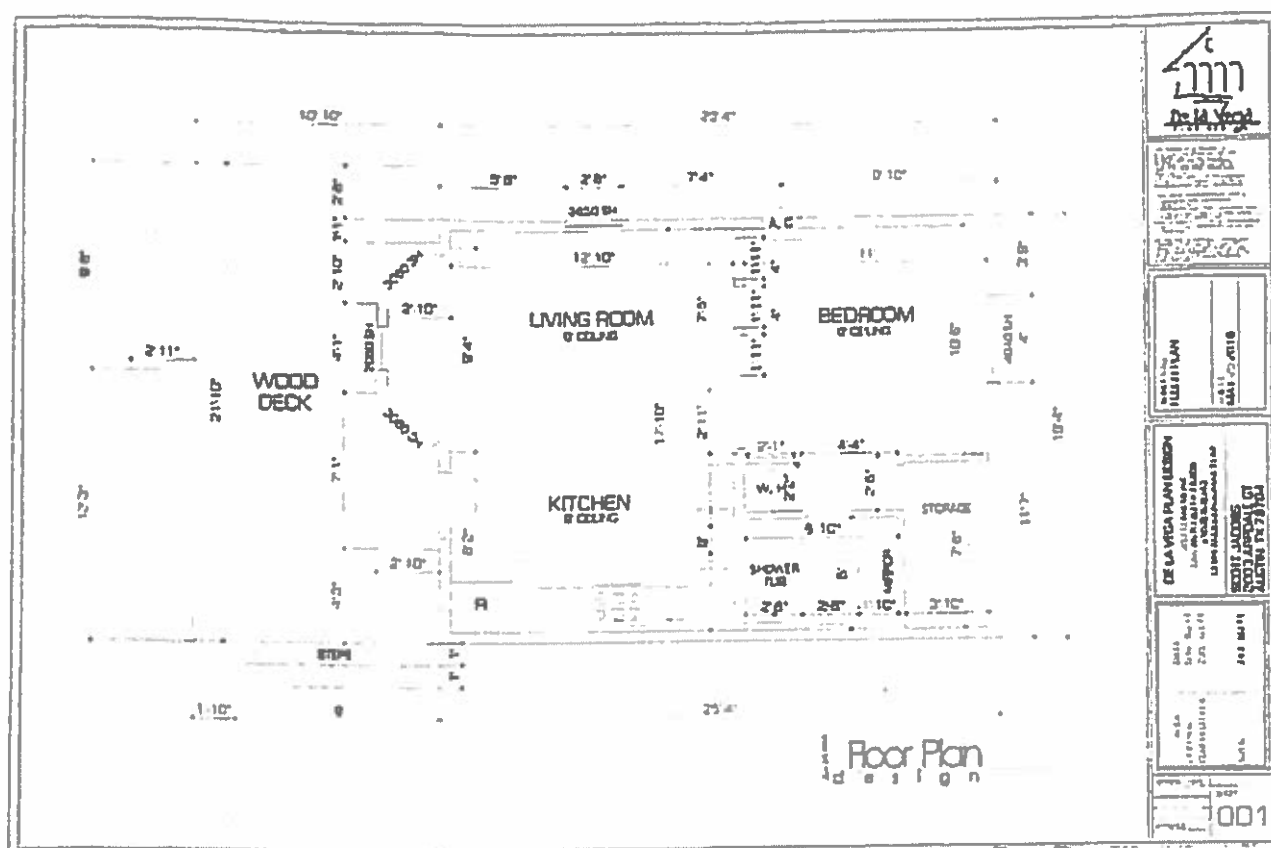
- C) Request to decrease the minimum distance between dwellings from 10ft to 6ft**



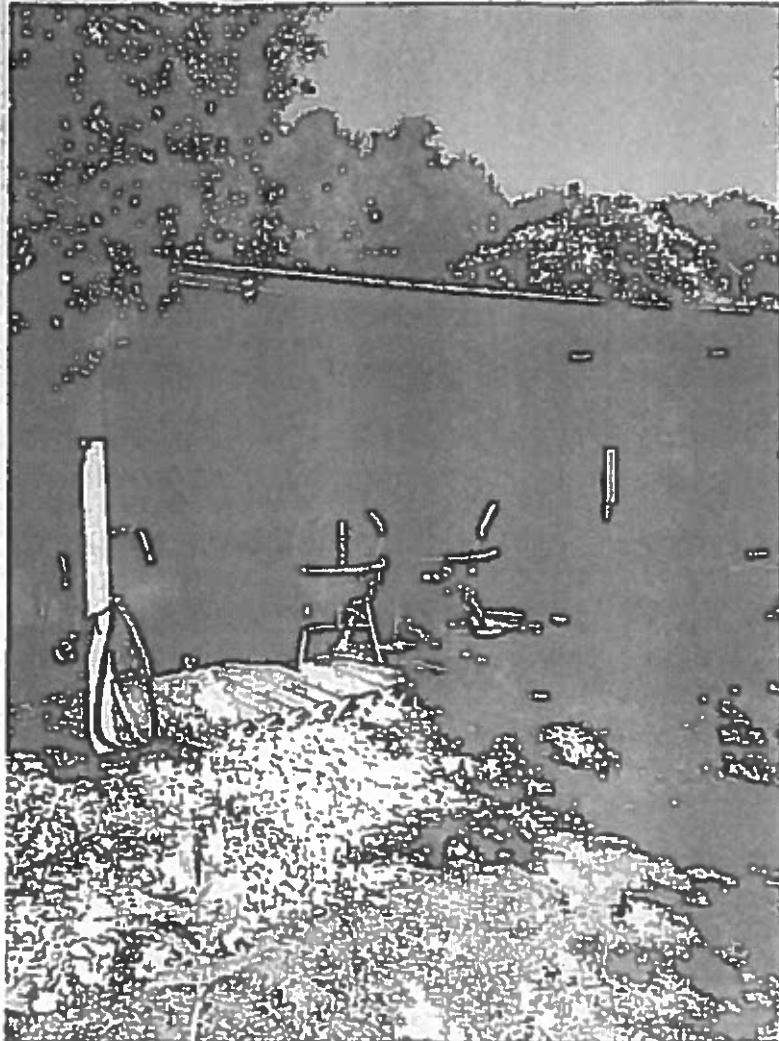
Appendix

1. Site Plan
2. Floor Plan
3. Pictures
4. Signatures

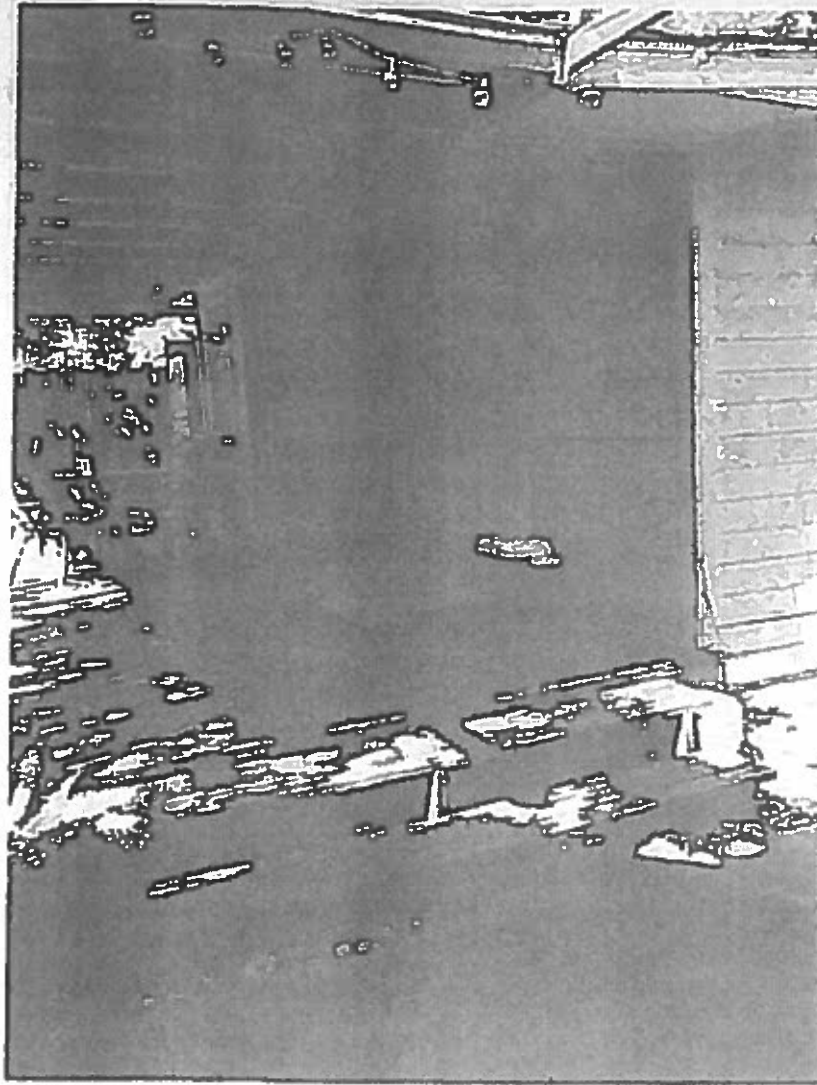




Southeast corner of ADU



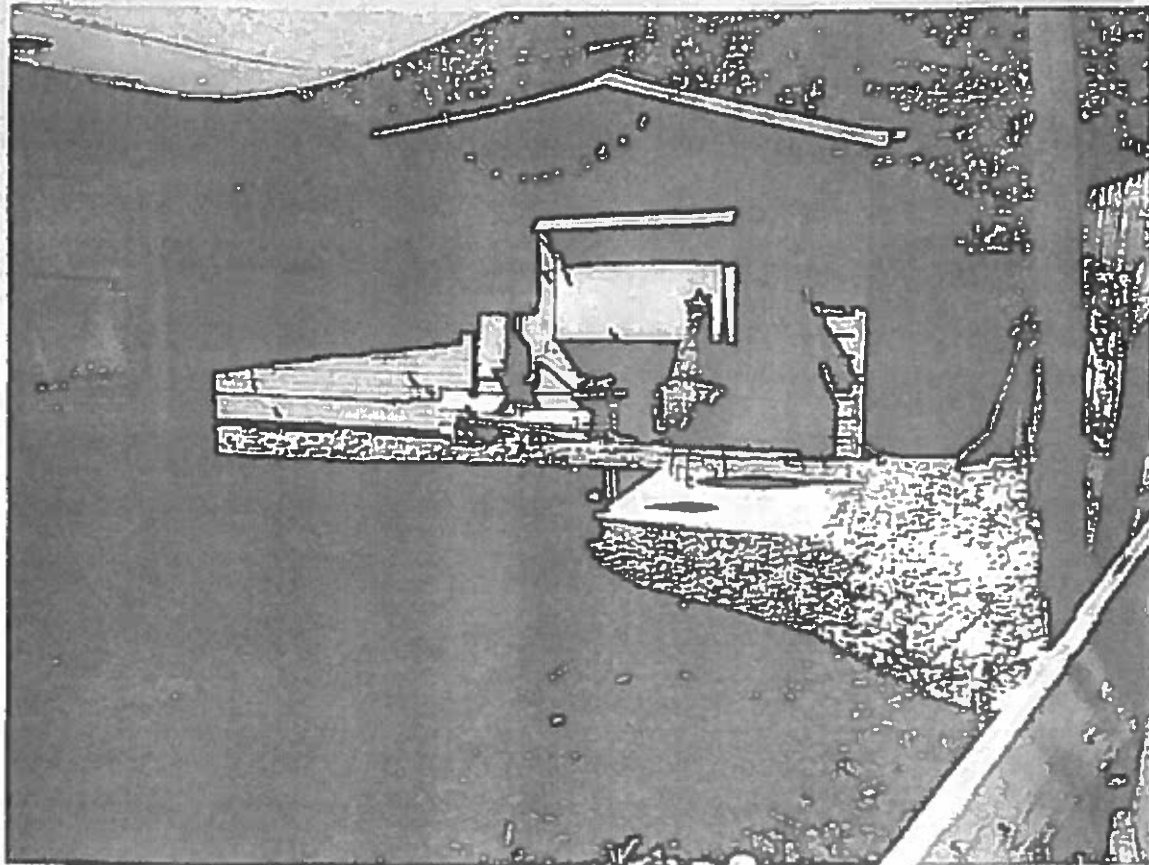
Northeast corner of ADU



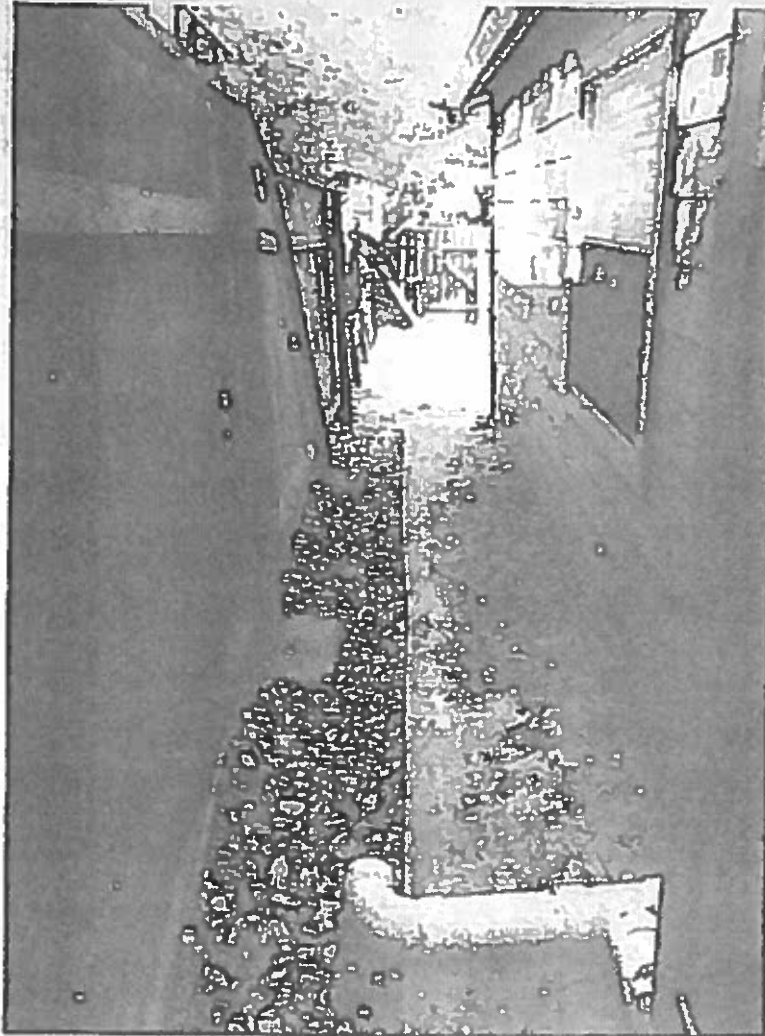
North side of ADU



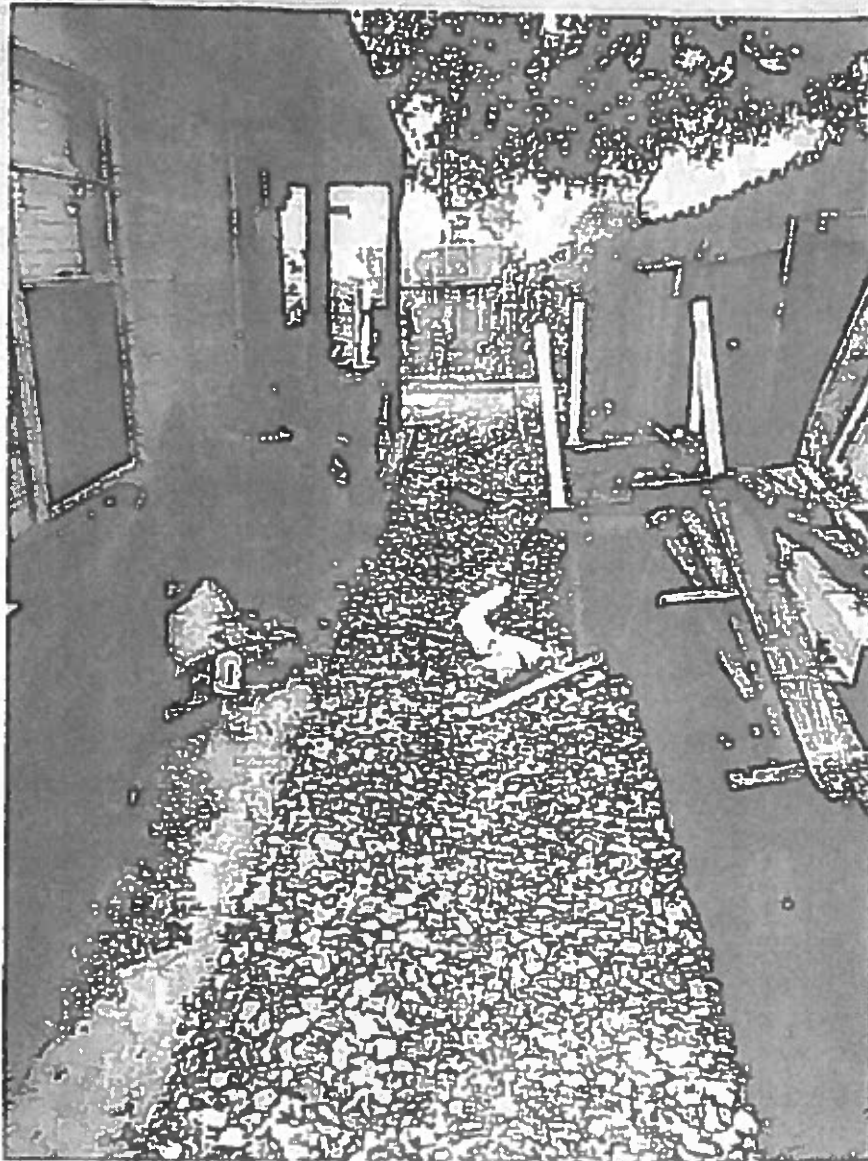
Northwest corner of ADU



West side of ADU



South side of ADU



Over 80% of the owners within 300ft are in support the variance request





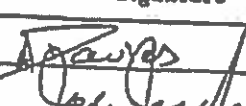
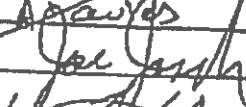
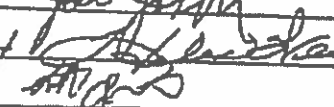

I, Scott Jacobs, am applying for a variance from the Board of Adjustment regarding Section 25-2-492 of the Land Development Code. The variance would allow me the ability to keep my backhouse which is currently in violation of set back requirements. The structure was built in 1949, but I inherited this problem when I bought the property in 2012.
By signing this form, I understand that I am declaring my support for the variance being requested.

Property Owner Name	Address	Signature
Bryan Campbell	2004 Apple St 78707	[Signature]
Lita Raymond	2013 Apple St	[Signature]
Kelly Cottrell	2003 De Verne St Austin TX	[Signature]
Jessica/Michael Bryant	2007 De Verne St 78704	[Signature]
Karen Sullivan	2007 Apple St 78704	[Signature]
Nessa Higgins	2010 Apple St	[Signature]
Jason O'Brien	2007 Apple St Austin TX 78704	[Signature]

512 785
6050
-5 Helen

Owners

By signing this form, I understand that I am declaring my support for the variance being requested.

Property Owner Name (Printed)	Address	Signature
ALEX DAVIES	2006 DEVERNE STREET 78209	
Joe Joseph	1601 Robert E. Luke 78704	
HELEN WEST	2000 ARPDAL ST 78204	
Scott Jacobs	2003 Arpdale St	

Occupants



I, Scott Jacobs, am applying for a variance from the Board of Adjustment regarding Section 25-2-492 of the Land Development Code. The variance would allow me the ability to keep my backhouse which is in violation of a far set back requirements. The structure was built without a permit in 1949 and I inherited this problem when I purchased the house in 2012.
By signing this form, I understand that I am declaring my support for the variance being requested.

Property Owner Name	Address	Signature
James Lorch	2002 Arpdale St., Arpdale, IL 78704	[Signature]
Tim Collins	2002 Arpdale St Arpdale, IL 78704	[Signature]
MITCH PARISH	2302 BLUEBONNET RD	[Signature]
Lauran Gonzalez	2006 Arpdale St. 78704	[Signature]

By signing this letter, I support Scott Jacobs in his variance request to the Board of Adjustment for 2003 Arpdale St. regarding Section 25-2-492 of the Land Development Code, which pertains to setback requirements highlighted below:

25-2-492. SITE DEVELOPMENT REGULATIONS.

- (A) The table in Subsection (D) establishes the principal site development regulations for each zoning district.
 (B) Except as provided in Subsection (C), if a requirement of Subsection (D) conflicts with another provision of this title, the more restrictive regulation governs.
 (C) The requirements of the other provisions of this subchapter override the requirements of Subsection (D), to the extent of conflict.
 (D) The development regulation table.

Sources: Section 13-3-630; Ord. 990225-70; Ord. 991104-46; Ord. 001111-30; Ord. 030721-52; Ord. 031211-11; Ord. 041118-57; Ord. 20100815-064.

	LA	RR	SF-1***	SF-2	SF-3
MINIMUM LOT SIZE (square feet):	43,560	43,560	10,000	5,750	5,750
MINIMUM LOT WIDTH:	100	100	60	30	30
MAXIMUM DWELLING UNITS PER LOT:	1	1	1	1	**
MAXIMUM HEIGHT:	35	25	35	35	35
MINIMUM SETBACKS					
FRONT YARD	40	40	25	25	25
STREET SIDE YARD	25	25	15	15	15
INTERIOR SIDE YARD:	10	10	5	5	5
REAR YARD:	20	20	10	10	20
MAXIMUM BUILDING COVERAGE:	—	20%	35%	40%	40%
MAXIMUM IMPERVIOUS COVER:	0	25%	40%	45%	45%

Property Address	Owner Name	Owner Signature
2305 BLUEBONNET LN	ALLEN DANZIGER	Allen Danziger

DocuSign Envelope ID: 788E348F-3E78-4A99-BA8F-0045B8472363


By signing this letter, I support Scott Jacobs in his variance request to the Board of Adjustment for 2003 Arpdale St. regarding Section 25-2-492 of the Land Development Code, which pertains to setback requirements highlighted below:

25-2-492 - SITE DEVELOPMENT REGULATIONS

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 (C) The requirements of the other provisions of this subchapter supersede the requirements of Subsection (D), to the extent of conflict.
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Source: Section 13-2-630; Ord. 990225-70; Ord. 991104-46; Ord. 000511-109; Ord. 030731-53; Ord. 031211-11; Ord. 042118-57; Ord. 20100819-054.

	LA	RR	SF-1***	SF-2	SF-3
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MINIMUM LOT WIDTH:	100	100	60	50	50
MAXIMUM DWELLING UNITS PER LOT:	1	1	1	1	**
MAXIMUM HEIGHT:	35	35	35	35	35
MINIMUM SETBACKS:					
FRONT YARD:	40	40	25	25	25
STREET SIDE YARD:	25	25	15	15	15
INTERIOR SIDE YARD:	10	10	5	5	5
REAR YARD:	20	20	10	10	10
MAXIMUM BUILDING COVERAGE:	—	20%	35%	40%	40%
MAXIMUM IMPERVIOUS COVER:	•	25%	40%	45%	45%

Property Address	Owner Name	Owner Signature
2001 Arpdale St.	Rebecca Heston	Digitally signed by:  017A46CAB650C0A

5/16/2016 81v0VW4ZBacWAAAAEFTt5UQmCCDQd8URPQ1RZUEUgSFRNTCBQVUJMSUMg20vL1cQy0rRFREBUTUwgnC4wFRyYW5kaXRpct2016...

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By signing this form, I understand that I am declaring my support for the variance being requested by Scott Jacobs.

Property Address	Property Owner Name	Signature
2203 Bluebonnet	Matt Jones	<div>Digitized by: Matt Jones 20160516 14:10:18</div>

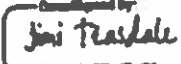
Do you have any questions? Feel free to contact me at scott.jacobs@yale.edu or 214-908-0770.

7/7/2018 D4C8SDYFvbwAAAAEFTkSUmCCDQo8URPQ1RZUEUgSFRNTC8QWJMSUMg10vL1czQy0vRFREHUTUwqNC4wIFRyYW50dXRpb250C

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By signing this form, I understand that I am declaring my support for the variance being requested by Scott Jacobs.

Property Address	Property Owner Name	Signature
2126 Goodrich Ave., Austin TX 78704	Jim Teasdale	<div>Digitized by  DocuSign</div>

Do you have any questions? Feel free to contact me at scott.jacobs@yale.edu or 214-908-0770.

Scott Jacobs is requesting a variance from the Board of Adjustment regarding Section 25-2-492 of the Land Development Code, which pertains to setback requirements.

Property Address	Property Owner Name	Signature
2012 Arpdale St.	Sean Kubicek	 <small>SEAN KUBICEK</small>


data:image/png;base64/JVBORwOKGpoAAAANSUUEUgAAAwAAAUcCAIAAACvEmvAAAAAXNSR0IAr4cDAAAARnQ1BAACxwY8YQUAAAJcEZWcw... 1/1

6/18/2016 8BcA6389pFCaQAAAAASUJVRK5CYHNCjwRRE8OVFIQR58IVE1MIFBVOcJQyAIL89Vv2NDLy9EVEQg5FRHTCADUAgVHJHbrNpdGlvbmFaly9F...

DocuSign Envelope ID: FFC104C8-E8C5-48DD-A8C0-783A8FA2AA1C

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By signing this form, I understand that I am declaring my support for the variance being requested by Scott Jacobs.

Property Address	Property Owner Name	Signature
2002 Arpdale Street Austin, Texas 78704	Amy Hartman	Decertified by:  ACB01AAC30AAC

Do you have any questions? Feel free to contact me at scott.jacobs@yale.edu or 214-908-0770.

6/15/2018 4PAMQ4skddt:AAAAASUVORKZCYINCjwHRE8OVFIOR5BME1MIFBVQloJQyAULS8VzNDLy9EVEQgSFRNTCA2LjAgVHJhbnRpdG9ydG9mFalyQFTL...

DocuSign Envelope ID: 8F584EAD-A7BE-4807-8843-BF410CFF0311

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By signing this form, I understand that I am declaring my support for the variance being requested by Scott Jacobs.

Property Address	Property Owner Name	Signature
2406 Bluebonnet Lane Chimney Park Apartments Miller Properties	Grace Hubbard	Digitally signed by: Grace Hubbard F1008F788DCA4E7

Do you have any questions? Feel free to contact me at scott.jacobs@yale.edu or 214-908-0770.

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Property Address	Property Owner Name	Signature
2011 Arpdale St.	River City Cap Partners	

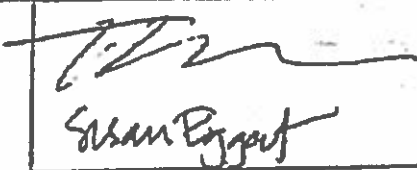
Please return this signed form in the return envelope. Thanks!

feel free to contact me if needed
at 312-638-6389

Do you have any questions? Feel free to contact me at scott.jacobs@yale.edu or 214-908-0770.

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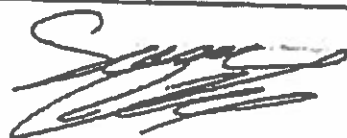
Property Address	Property Owner Name	Signature
2005 DeVerne St.	Thomas W. Brown Susan Eggert	 Susan Eggert

Please return this signed form in the return envelope. Thanks!

Do you have any questions? Feel free to contact me at scott.jacobs@yale.edu or 214-908-0770.

Scott Jacobs is requesting a variance from the Board of Adjustment regarding Section 25-2-492 of the Land Development Code, which pertains to setback requirements.

By signing this form, I understand that I am declaring my support for the variance being requested by Scott Jacobs.

Property Address	Property Owner Name	Signature
2340 S. Lamar	Samir Maamary	

Please return this signed form in the return envelope. Thanks!

Do you have any questions? Feel free to contact me at scott.jacobs@yale.edu or 214-908-0770.

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Property Address	Property Owner Name	Signature
2330 S. Lamar		


Please return this signed form in the return envelope. Thanks!

Lou Margaret Hulbert

Do you have any questions? Feel free to contact me at scott.jacobs@yale.edu or 214-908-0770.

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Property Address	Property Owner Name	Signature
2008 Arpdale St.	GREG PITZER	

Please return this signed form in the return envelope. Thanks!

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Property Address	Property Owner Name	Signature
2418 S. Lamar	Chris Petropoulos	

Please return this signed form in the return envelope. Thanks!

Do you have any questions? Feel free to contact me at scott.jacobs@yale.edu or 214-908-0770.

Zilker Neighborhood Association

ZilkerNA@austin.rr.com ♦ ZilkerNeighborhood.org ♦ 512-447-7681

August 8, 2016

Board of Adjustment
City of Austin Watershed Protection and
Development Review Dept.

Re: Variance request C15-2016-0084, 2003 Arpdale

Dear Chairman and Board Members:

On August 1, 2016, the executive committee of the Zilker Neighborhood Association voted to oppose the variances requested by Scott Jacobs at 2003 Arpdale, C15-2016-0084, because the application contains errors in the lot size and impervious cover calculations. When these errors are corrected, other variances will be required to satisfy the applicant's desire to create a secondary dwelling on his substandard lot. Also, the executive committee is opposed to the variances because the application meets none of the required findings regarding reasonable use, hardship, and area character.

Thank you for your service on the Board of Adjustment.

Sincerely yours,



David King,
President, ZNA

PUBLIC HEARING INFORMATION

Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak **FOR** or **AGAINST** the proposed application. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During a public hearing, the board or commission may postpone or continue an application's hearing to a later date, or recommend approval or denial of the application. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice will be sent.

A board or commission's decision may be appealed by a person with standing to appeal, or an interested party that is identified as a person who can appeal the decision. The body holding a public hearing on an appeal will determine whether a person has standing to appeal the decision.

An interested party is defined as a person who is the applicant or record owner of the subject property, or who communicates an interest to a board or commission by:

- delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern (*it may be delivered to the contact person listed on a notice*); or
- appearing and speaking for the record at the public hearing; and:
- occupies a primary residence that is within 500 feet of the subject property or proposed development;
- is the record owner of property within 500 feet of the subject property or proposed development; or
- is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development.

A notice of appeal must be filed with the director of the responsible department no later than 10 days after the decision. An appeal form may be available from the responsible department.

For additional information on the City of Austin's land development process, visit our web site: www.austintexas.gov/devservices

Written comments must be submitted to the contact person listed on the notice before or at a public hearing. Your comments should include the name of the board or commission, or Council; the scheduled date of the public hearing; the Case Number; and the contact person listed on the notice. All comments received will become part of the public record of this case.

Case Number: C15-2016-0084, 2003 Arpdale St.

Contact: Leane Heldenfels, 512-974-2202, leane.heldenfels@austintexas.gov

Public Hearing: Board of Adjustment, August 8th, 2016

Your Name (please print)

George Siddle

☐ I am in favor
☐ I object

Your address(es) affected by this application

2103 Arpdale

Signature

Date

George Siddle 7-2-16

Daytime Telephone:

512-447-4588

Comments:

Comments must be returned by noon the day of the hearing in order for the Board to see them at this hearing. They may be sent via:

Mail: City of Austin-Development Services Department/ 1st Floor

Leane Heldenfels

P. O. Box 1088

Austin, TX 78767-1088

(Note: mailed comments must be postmarked by the Wed prior to the hearing to be received timely)

Fax: (512) 974-6305

Email: leane.heldenfels@austintexas.gov

L11/54

PUBLIC HEARING INFORMATION

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Case Number: C15-2016-0084, 2003 Arpdale St.

Contact: Leane Heldenfels, 512-974-2202, leana.heldenfels@austintexas.gov

Public Hearing: Board of Adjustment, August 8th, 2016

☐ I am in favor
☒ I object

Your Name (please print)

Leane Heldenfels

Your address(es) affected by this application

2101 Arpdale St

Signature

Date

Daytime Telephone: 512 447 4388

Comments:

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 Leane Heldenfels
 P. O. Box 1088
 Austin, TX 78767-1088

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Fax: (512) 974-6305

Email: leana.heldenfels@austintexas.gov

L1/55

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Contact: Leane Heldenfels, 512-974-2202, leane.heldenfels@austintexas.gov

Public Hearing: Board of Adjustment, August 8th, 2016

☐ I am in favor
☒ I object

Your Name (please print)

Your address(es) affected by this application

Signature

Date

Daytime Telephone:

Comments:

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Leane Heldenfels

P. O. Box 1088

Austin, TX 78767-1088

(Note: mailed comments must be postmarked by the Wednesday prior to the hearing to be received timely)

Fax: (512) 974-6305

Email: leane.heldenfels@austintexas.gov

L1/56

Heldenfels, Leane

From: Lorraine Atherton [REDACTED]
Sent: Friday, August 05, 2016 5:26 PM
To: Heldenfels, Leane
Subject: BoA Agenda M-1, C15-2016-0084, 2003 Arpdale
Attachments: 2003ArpdaleBoA letter.pdf

Hello, Leane.

This is regarding the variance requested at 2003 Arpdale, C15-2016-0084, item M-1 on the Board of Adjustment agenda for August 8. The attached PDF contains my personal letter of opposition to the variances, a history of the property, and a copy of an aerial photo, for a total of 5 pages. Please let me know if I will have to provide copies for the Board members.

I would be very grateful if you would include these pages in the Board's backup material and in the file for this case.

Many thanks,

Lorraine Atherton
2009 Arpdale
(512-447-7681)

Lorraine Atherton
2009 Arpdale, Austin, TX 78704

August 5, 2016

Board of Adjustment
City of Austin Watershed Protection and
Development Review Dept.

Re: Variance requests C15-2016-0084. 2003 Arpdale

Dear Chairman and Board Members:

As a homeowner on Arpdale Street, I am opposed to the variances requested by Scott Jacobs at 2003 Arpdale, C15-2016-0084, to allow an outbuilding remodeled without permits to be occupied as an accessory dwelling unit.

Dimensions of the property and variances required

Based on the photographs, survey, and site plan submitted by the owner, this lot is 5514 square feet and the impervious cover is more than 60%. City Code 25-2-492 (Site development regulations) requires a minimum lot size of 5750 sf and limits this site to 45% impervious cover.

I alerted the owner and City staff to these errors on August 1 and suggested that the variance application be withdrawn, corrected to reflect the actual lot size and other dimensions, and reposted with all the variances that will be required. If the application is not withdrawn by August 8, I request that the Board of Adjustment deny the requested variances because of the substandard lot size.

Deed restrictions and single-family status

I have owned and occupied the property at 2009 Arpdale since 1983. The same deed restrictions that apply to my property apply to 2003 Arpdale. In 1939, those restrictions prohibited the use of any outbuildings as residences, and they are still in effect. I have not found any other properties in this subdivision in violation of that deed restriction. According to the documentation listed in the attached history of the property, the Travis Central Appraisal District and the City of Austin have no record of the existence of a garage or other outbuilding at 2003 Arpdale, and the property has never been classified as anything other than a single-family residence.

Construction and use of the structure

The attached aerial photo from 1966 shows a small outbuilding in the back corner of the lot. Aerial photos from 1984 and 1987 show the same structure. No aerial photos or surveys are available between 1987 and 1997. The earliest evidence of an addition to the small outbuilding is the 1997 aerial photo supplied by Mr. Jacobs. Regardless of when the addition was built, it is clear to me that it was not used as a separate dwelling before the property was sold in 2007, less than 10 years ago. The owners shared the house with two other persons, they were all listed on the same mailbox at the front door, and some of them appeared to be related.

My recollection of the remodeling of 2003 Arpdale is that the house was "re-roofed" three times in the three or four years following the sale. A great deal of work was done under CoA building permit 07-141411, dated August 6, 2007. Several color aerial photos are available

from this period, beginning in 2006. They show a series of changes to the outbuilding, including the eastward extension of the roof over the deck.

Finally, TCAD recorded the sale to Jacobs in December 2012, and the CoA issued a permit for "window replacement" in January 2013. Again, from the street, it looked to me like the window replacement required a great deal of work on other parts of the property. When it was eventually completed, I was no longer able to tell who was living in the house, or if anyone was living there. It soon became clear that at least part of the property was being used as a commercial short-term rental. The attached history also lists the code enforcement cases from May 27, 2014, to March 22, 2016.

To summarize, I request that the Board deny the variances requested by Scott Jacobs at 2003 Arpdale, C15-2016-0084, first because the application contains errors that when corrected will require additional variances to satisfy the applicant's desire to create a second dwelling on his substandard lot; second, because the deed restrictions prohibit the use desired by the applicant; third, because the applicant has not established that the desired use existed before he purchased the property less than five years ago; and finally, because the application meets none of the required findings regarding reasonable use, hardship, and area character.

Thank you for your attention and for your service on the Board of Adjustment.

Sincerely yours,



Lorraine Atherton
2009 Arpdale
Austin, TX 78704

C15-2016-0084, Board of Adjustment
variance request, 2003 Arpdale

2003 Arpdale, History

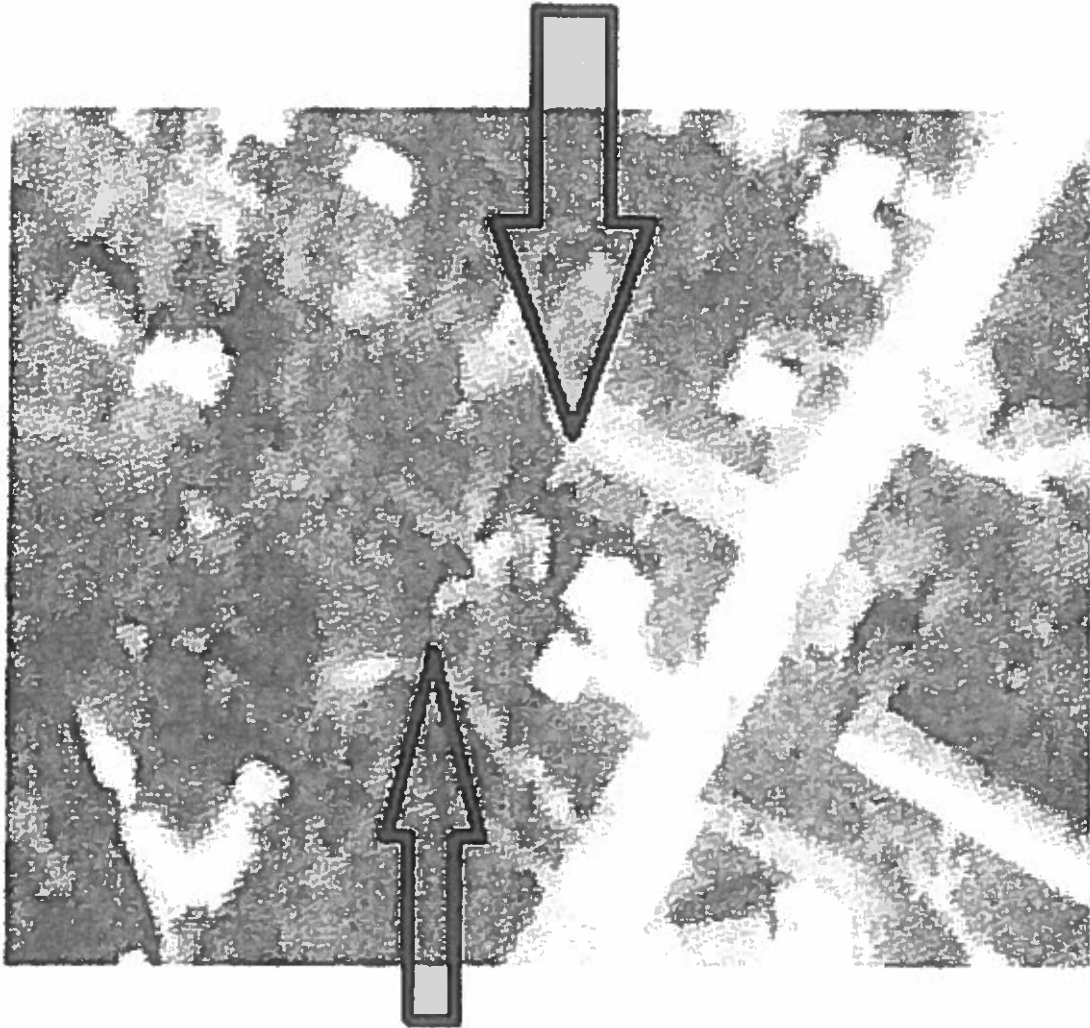
(compiled by Lorraine Atherton, 2009 Arpdale)

- 1939 Records of Travis County, Vol. 621, page 408, De Rance C. Rabb, Restrictive covenants for Rabb Inwood Hills subdivision. Filed July 17, 1939.
 "1. No . . . residence shall be constructed on said premises other than one detached single family dwelling, constructed of frame, brick or rock; the floor space to occupy not less than eight hundred square feet; shall not exceed two stories in height, with one, two or three car garage. . . note exception: a two family dwelling will be permitted of same construction above mentioned, the floor space to occupy not less than 1400 square feet.
 "3. No trailer, basement, tent, shack, garage, barn or other out-building shall be erected or placed on said premises herein conveyed as a temporary or permanent residence."
- 1949 Web site of Travis Central Appraisal District (TCAD), property information for 2003 Arpdale (downloaded July 27, 2016). TCAD disclaimer: The Travis Central Appraisal District makes no claims, promises or guarantees about the accuracy, completeness, or adequacy of this information and expressly disclaims liability for any errors and omissions
 1-family dwelling, 1049 square feet, built 1949, no garage or accessory building listed.
- 1950 Web site of City of Austin (CoA), water and wastewater connection permits for 2003 Arpdale, dated Jan. 25, 1950.
- 1954 CoA, "frame addn to res," May 14, 1954.
- 1966 aerial photo, Feb. 4, 1966, showing roof of small structure (size of one-car garage, carport, or shed) in back corner, aligned with west side of house
- 1984 aerial photo showing roof of small structure, same as 1966. Area east of structure is obscured by a tree, could be uncovered deck but there are no shadows indicating a building.
- 1987 aerial photo showing possible construction on back of house. Outline of garage or shed roof is not visible.
- 1990 TCAD, deed transaction, and CoA permits, 2003 Arpdale sold to Carrasco and Miller, May 1, 1990.
 CoA permits for rebuild electric service, connect AC, gas test, plumbing inspection, install water heater in existing single-family residence, issued Oct. 23-25, 1990.
- 1997 aerial photo showing new circular driveway, flat roof on southwest corner of house, and extended roof on back structure.
 CoA permit to replace breaker box, issued Oct. 7, 1997.
- 2003 aerial photo (color), Feb. 28, 2003, clearly shows differences in roof materials.
- 2006 aerial photo (color), Jan. 31, 2006, clearly shows differences in roof materials, extension of covered deck with highly reflective material.
- 2007 CoA land status determination requested by Gino Fuentes, issued Jan. 10, 2007.
 TCAD, deed transaction, Carrasco and Miller to Gino Fuentes, Feb. 13, 2007.
 TCAD, deed transaction, Fuentes to St. Johns Properties LLC, July 3, 2007. Survey also dated July 3, 2007, shows rectangular lot 55 × 100 feet.
 CoA permit to "re-roof existing 1-story single-family res" issued Aug. 6, 2007.
 TCAD, property information for 2003 Arpdale (July 27, 2016), 1-family dwelling, 430 square feet added to 1st floor in 2007, 102 square feet "porch open 1st f" built in 2007.

- 2008 aerial photo (color). Jan. 31, 2008. showing new roof. tree still in front yard, change in deck material.
CoA tree removal permit, including photo of driveway and front of house. Application Aug. 25, 2008, approved May 13, 2009.
- 2009 aerial photo (color). Jan. 31, 2009, showing new roof, no tree, back yard fully built out.
aerial photo (color). Nov. 24, 2009, showing highly reflective material on covered deck.
- 2011 aerial photo (color), March 9, 2011, showing extension of covered deck and change in roofing material.
- 2012 TCAD, deed transaction, St. Johns Properties LLC to Scott Jacobs, Dec. 11, 2012.
- 2013 CoA permit for window replacement issued Jan. 14, 2013.
- 2014 Code Enforcement #2014-054367 CC, Structure condition complaint May 27, 2014.
Violation found and CV notice June 16, 2014. Voluntary compliance Aug. 15, 2014.
Code Enforcement #2014-057985 CC, Land use violation complaint June 3, 2014.
CoA permit to operate a Type I short-term rental issued July 18, 2014. expired Aug. 5, 2016.
Code Enforcement #2014-077692 CC, Work without permit complaint July 23, 2014.
aerial photo (color), Oct. 2, 2014, shows extension of deck covering with highly reflective material.
- 2015 aerial photo (color), July 13, 2015, shows extension of deck covering with highly reflective material.
Code Enforcement #2015-097060 CC, Land use violation complaint Aug. 11, 2015.
Code Enforcement #2015-097846 CC, Structure condition complaint Aug. 12, 2015.
Code Enforcement #2015-126466 CC, Land use violation complaint Oct. 19, 2015.
- 2016 Code Enforcement #2016-011910 CC, Land use violation complaint Feb. 4, 2016.
Austin Water violation, plumbing permit, issued Feb. 16, 2016.
Code Enforcement #2016-017415 CC, Land use violation complaint Feb. 18, 2016.
Violation found March 2, 2016. Contact performed and AH warning prep March 18, 2016.
Code Enforcement #2016-022576 CC, Land use violation complaint March 1, 2016.
Code Enforcement #2016-030858 CC, Land use violation complaint March 19, 2016.
Code Enforcement #2016-031406 CC, Land use violation complaint March 21, 2016.
Code Enforcement #2016-031290 CC, Land use violation complaint March 21, 2016.
Code Enforcement #2016-031964 CC, Work without permit complaint March 22, 2016.
CoA residential permit application, submitted by Jacobs May 25, 2016, with site plan based on 2007 survey. Master Comment Report issued June 27, 2016, requiring variances to change use from single family to two family.

aerial photo, Feb. 4, 1966
(print M1-174, Texas Natural
Resources Information System)

2003 Arpdale



shed

PUBLIC HEARING INFORMATION

Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak **FOR** or **AGAINST** the proposed application. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

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A board or commission's decision may be appealed by a person with standing to appeal, or an interested party that is identified as a person who can appeal the decision. The body holding a public hearing on an appeal will determine whether a person has standing to appeal the decision.

An interested party is defined as a person who is the applicant or record owner of the subject property, or who communicates an interest to a board or commission by:

- delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern (*it may be delivered to the contact person listed on a notice*); or
- appearing and speaking for the record at the public hearing; and:
- occupies a primary residence that is within 500 feet of the subject property or proposed development;
- is the record owner of property within 500 feet of the subject property or proposed development; or
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A notice of appeal must be filed with the director of the responsible department no later than 10 days after the decision. An appeal form may be available from the responsible department.

For additional information on the City of Austin's land development process, visit our web site: www.austintexas.gov/devservices

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Case Number: C15-2016-0084, 2003 Arpdale St.

Contact: Leanne Heldenfels, 512-974-2202, leanne.heldenfels@austintexas.gov

Public Hearing: Board of Adjustment, August 8th, 2016

Mark Bentley

Your Name (please print)

2429 Ann Arbor Ave # B2

Your address(es) affected by this application

Wanda E. Bentley

Signature

Daytime Telephone: 512-461-5373

Date

8/4/2016

Comments:

Comments must be returned by noon the day of the hearing in order for the Board to see them at this hearing. They may be sent via:

Mail: City of Austin-Development Services Department/ 1st Floor

Leanne Heldenfels

P. O. Box 1088

Austin, TX 78767-1088

(Note: mailed comments must be postmarked by the Wednesday prior to the hearing to be received timely)

Fax: (512) 974-6305

Email: leanne.heldenfels@austintexas.gov

L1/63

Heldenfels, Leane

From: [REDACTED]
Sent: Monday, August 01, 2016 3:33 PM
To: Heldenfels, Leane
Subject: Case #C15-2016-0084
Attachments: Case Number C15_2016_0084.pdf
[REDACTED]

RE: Case Number C15-2016-0084, 2003 Arpdale St
Public Hearing: Board of Adjustment, August 8th, 2016
Contact: Leane Heldenfels

Leane,

Attached I submit my **objection** to the land development code variance for the above mentioned case and address. It is unacceptable to bend the law for Scott Jacobs. He has no regards for his neighbors and just this past weekend his short term rental brought more people honking horns and partying loudly in the middle of the night. Unfortunately his neighbors bedroom window is very close. I don't know how they get any sleep.

Please respond to confirm receipt of the attachment.

Enjoy your day!
Annette Gardner
2006 Arpdale St

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Case Number: C15-2016-0084, 2003 Arpdale St.

Contact: Leanne Heldenfels, 512-974-2202, leanne.heldenfels@austintexas.gov

Public Hearing: Board of Adjustment, August 8th, 2016

Margaret McNeil

Your Name (please print)

☐ I am in favor
☒ I object

2005 Arpdale

Your address(es) affected by this application

Margaret McNeil

Signature

Date

Daytime Telephone: (830) 379-1606

Comments: I bought my house in 2007 at the expectation that there are no serious zoning advances and that they would be minimal. I did not expect the neighbor to move out and turn his residence into an unlicensed short-term rental w/ many complaints & violations or sound. As the neighbor unprofessionally, not effected / appose all insurance especially related to how close the drive has come to my house. I am more concerned by the serious mental effects of unprofessional conduct. Comments must be returned by noon the day of the hearing in order for the Board to see them at this hearing. They may be sent via: than any other that ostensibly would be caused
Mail: City of Austin-Development Services Department/ 1st Floor
Leanne Heldenfels by the structure being demolished

P. O. Box 1088

Austin, TX 78767-1088

(Note: mailed comments must be postmarked by the Wed prior to the hearing to be received timely)

Fax: (512) 974-6305

Email: leanne.heldenfels@austintexas.gov

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Case Number: C15-2016-0084, 2003 Arpdale St.

Contact: Leane Heldenfels, 512-974-2202, leane.heldenfels@austintexas.gov

Public Hearing: Board of Adjustment, August 8th, 2016

HELEN WEST

Your Name (please print)

2000 ARPDAL

Your address(es) affected by this application

Leane Heldenfels

Signature

Date

Daytime Telephone: 210/862-8092

Comments:

*I have no problem with
now do I object to the
variances I sought by
myself.*

Comments must be returned by noon the day of the hearing in order for the Board to see them at this hearing. They may be sent via:

Mail: City of Austin-Development Services Department/ 1st Floor

Leane Heldenfels

P. O. Box 1088

Austin, TX 78767-1088

(Note: mailed comments must be postmarked by the Wed prior to the hearing to be received timely)

Fax: (512) 974-6305

Email: leane.heldenfels@austintexas.gov

L 1/66

C19-2016-0084

Updated L1/67
3/27



BOA VARIANCE REQUEST EVIDENCE

PREPARED BY OWNER/APPLICANT: SCOTT JACOABS

2003 ARPDAL ST.

LEGAL DESCRIPTION: WEST 55' OF LOT 16, BLOCK 8 RABB INWOOD HILLS

ZONING DISTRICT: SF-3

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LETTER TO THE BOARD

3/27/17

Dear Members of the Board:

When I, Scott Jacobs, purchased 2003 Arpdale St in 2012, I was not informed that my accessory dwelling unit was not compliant with City of Austin building code. However, in March of 2016, during a sewer line inspection, a code enforcement officer noticed the unpermitted accessory dwelling unit. I immediately made it my priority to bring the house up to code and submitted a permit application a few months later.

According to the City of Austin aerial photographs, phone records, permit history, and Travis County records, it appears that the accessory dwelling unit was originally constructed in 1949 as a detached garage. This detached garage was converted to an accessory dwelling unit sometime in the early 1990's.

I haven't made any material change to the property since 2012 when I purchased the home. I am requesting a few variances in order to maintain the existing property characteristics which have been in the same place for 57 years.

2003 Arpdale St has been my homestead since I purchased the house in 2012. I'm currently attending graduate school at Yale to obtain my Masters in Business Administration. The BOA process has been quite challenging as this is my first time being a homeowner and going through this process, so I appreciate the patience granted to me thus far with the variance postponements or any mistakes made within the applications.

I want you to know that I'm determined to bring my house up to code and have every intention to work out a solution with the Board of Adjustment and the City of Austin. I've spent countless numbers of hours meeting with city officials and researching on my own.

While I'm attending graduate school in Connecticut, I will continue renting out my house on a long-term basis so that I can have someone maintaining the house. I let my STR license expire since my neighbors expressed concerns with short term rentals in the area.

You'll notice that nearly all of my neighbors are in support of the variance request. There have also been no issues recorded with the accessory dwelling unit for over 20 years, so I respectfully ask the board to allow the accessory dwelling unit to remain in place and for the property to remain as is.

Regards,



Scott Jacobs

4/10/2017

BOA Variance Request Evidence

2

FRIENDS OF ZILKER SUPPORT THE VARIANCE REQUEST



March 4, 2016

From : Friends of Zilker Neighborhood Association
 To : Board of Adjustment
 Regarding : 2003 Arpdale St Austin TX 78704

To whom it may concern,

Friends of Zilker Neighborhood Association supports the following resolution that:

"Land use determinations shall be made based on City and neighborhood zoning and planning documents and private deed restrictions shall only be enforced through action in civil court."

(This is in response to punitive actions made against a property owner at 2003 Arpdale for an existing development that is perceived to be in conflict with private deed restrictions. This case is arbitrary given that multiple other similar conditions exist in the neighborhood and on the same street.)

Furthermore, our organization found at least a dozen other properties in the Rabb Inwood Subdivision that currently have (or previously had) ADUs / guest houses including :

- 2202 Paramount Ave
- 2112 Montclair St
- 2102 Montclair St
- 2006 Montclair St
- 2205 La Casa Dr
- 2110 La Casa Dr
- 2108 La Casa Dr
- 2104 La Casa Dr
- 2200 De Verne
- 2012 Arpdale St
- 2007 Arpdale St
- 2003 Arpdale St

Thank you,
 Mary Owens, Secretary of Friends of Zilker

PERMIT / VARIANCE REQUEST HISTORY

3/14/16 – Owner discovers permit violation

- During an inspection of a sewer line project at the residence, the City of Austin Code Department discovered the unpermitted ADU.
- Upon hearing the news, the owner of the residence was quick to take action to acquire a permit and legalize the ADU.

6/13/16 – Owner submits permit application

- Owner submitted the permit application, but was informed that a variance would be needed.

8/5/16 – Owner lets STR Permit expire

- Owner let the STR permit expire and no longer uses the ADU as a short term rental. The owner has every intention to return to Austin to live in the ADU, but for now is renting the ADU as a long-term rental to supplement the cost of his education while he completes his MBA at Yale.

8/18/16 – City of Austin's error requires postponement

- Owner was ready to appear in front of the board, but realized that TCAD's lot size of 5750 was inconsistent with the size on the site plan (5500). An additional variance would be needed due to the substandard lot size. The case was postponed to 2/13/17.

Note: the postponement was a result of the city's error

2/08/17 - City of Austin's error requires postponement

- Owner was informed that the city forgot to add the additional variance to the "notice" sent to the neighbors. Therefore, a re-notice would be needed in order to carry forward with the hearing. As a result, during the 2/13/17 meeting, the case was postponed to the month of March.

Note: the postponement was a result of the city's error

3/13/17 – Owner requests postponement

- Owner was unable to attend the hearing due to a pre-existing academic trip with his MBA program.

HISTORY OF 2003 ARPDAL ST.

1939 – Deed for Rabb Inwood Hills was created

1949 – Lot 16, Block 8 was subdivided

– 2003 Arpdale was built with detached garage

1990's – Garage was converted to ADU

- Aerial views in GIS (which only go back to 1997) show the converted ADU which suggests that it was converted prior to 1997
- There are two separate phone records with different names registered in 1994 which suggests the ADU was converted prior to 1994
- Several permits were taken out for 2003 Arpdale in 1990 which suggests that contractors were permitted to work on site suggesting that the conversion happened in 1990

2012 – Property was purchased by current owner

- Owner was unaware that the ADU was not legally permitted
- Owner moved into the ADU and added an "A" and "B" address to the property
- Front house is rented on a long-term basis

2017 – Property remains as owner's homestead

- Owner rents out both units on a long-term basis while he is attending graduate school at Yale
- Owner has every intention of moving back into the ADU

SUPPORTING EVIDENCE FOR THE VARIANCE REQUEST

Friends of Zilker Neighborhood Association supports the request

Neighborhood is in support

- Over 80% of the owners within 300ft are in support the variance request
- Verified by signatures



This is to maintain an existing structure (no new construction)

- The site of 2003 Arpdale has been in its current state for over 20 years
- Several other houses in the Rabb Inwood subdivision have ADU's

No history of issues

- No complaints against the house or ADU have been recorded for over 57 years
- Verified by open record request

Deed restrictions are irrelevant to City Code

- Not all deed restrictions for Rabb Inwood Hills are being enforced

Affordable housing at-risk

- Removal of ADU will decrease the "affordable housing" stock

Neighborhood will be upset if variance is rejected

- Rejection of variance will cause unwarranted construction noise, pollution, and traffic on Arpdale St. The neighbors will be upset with the city for causing this disturbance
- "Don't try to fix what isn't broken"

APPENDIX

STR LICENSE

Although the owner is no longer renting the ADU as a short-term rental, this operating license is to prove that the owner rented legally as a short-term rental and paid the associated taxes.



City of Austin

COPY

OPERATING LICENSE

LICENSEE:

SCOTT JACOBS

2003 ARPDAL ST
AUSTIN TX 78704 3901

Number of Sleeping Rooms:

2

CONTACT:

SCOTT JACOBS
2003 ARPDAL ST
AUSTIN TX 78704 3901

License Type:

Short Term Rental Type 1

License Number:

OL 2014 075612

License Issuance Date:

August 05, 2014

Expiration Date:

August 05, 2016

Issued by:

ESTABLISHMENT NAME:

2003 ARPDAL

2003 ARPDAL ST
AUSTIN TX 78704

Austin Code Department has approved the
issuance of this Operating License for this
establishment.

RENEWAL

The Austin City Code requires that any
changes to the information on this license be
immediately reported in
writing to:

CITY OF AUSTIN
Austin Code Department
Attn: Short Term Rental Program
P.O. Box 1088
Austin, TX 78767-8810

Code Reference:

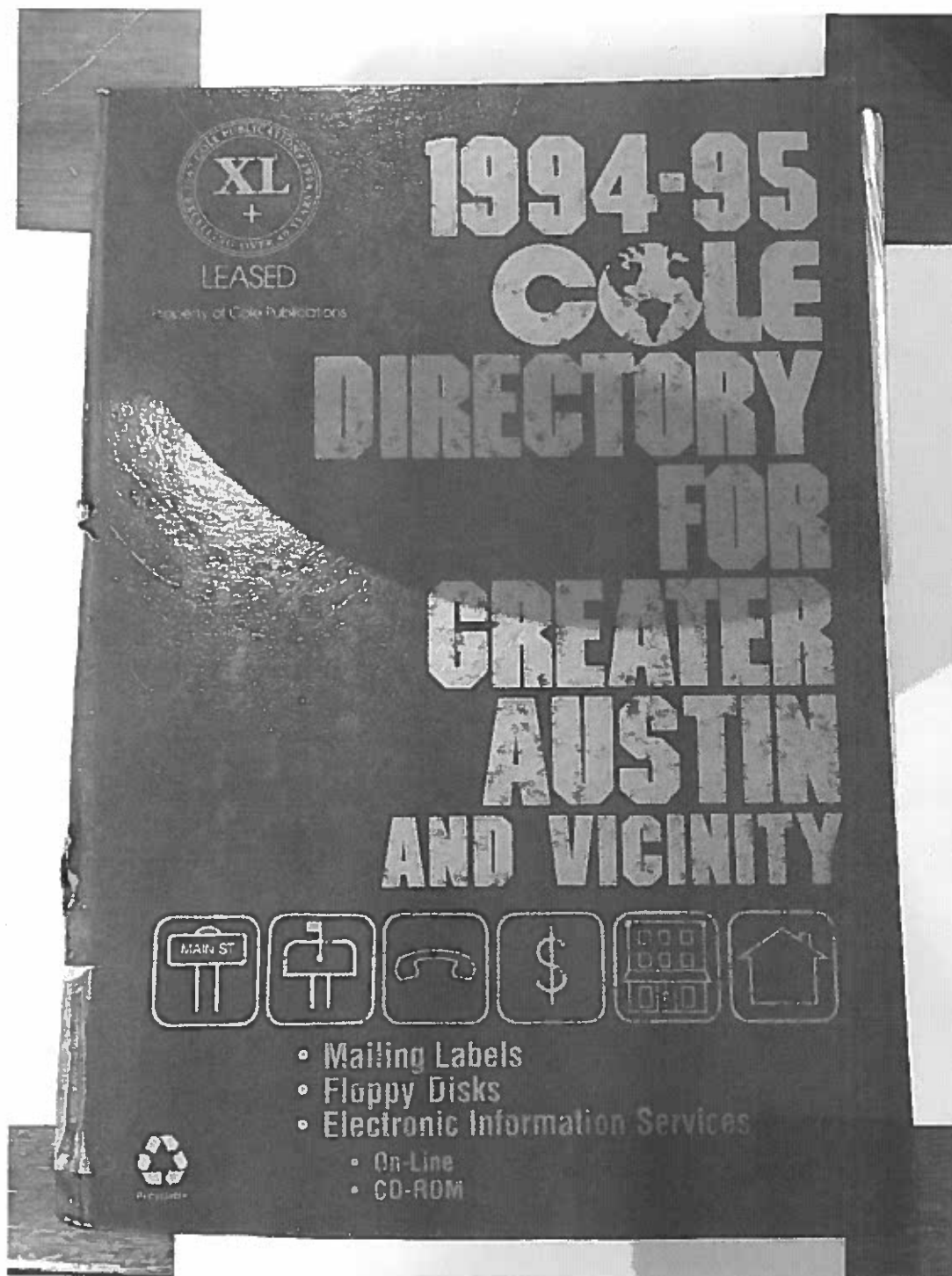
City of Austin Code
Chapter 25-2, 25-12, 25-1

Carl Smart, Director

ORIGINAL MUST BE CLEARLY DISPLAYED ON ESTABLISHMENT PREMISES
LICENSE MAY NOT BE TRANSFERRED AND DOES NOT CONVEY WITH THE SALE OR TRANSFER OF THE PROPERTY

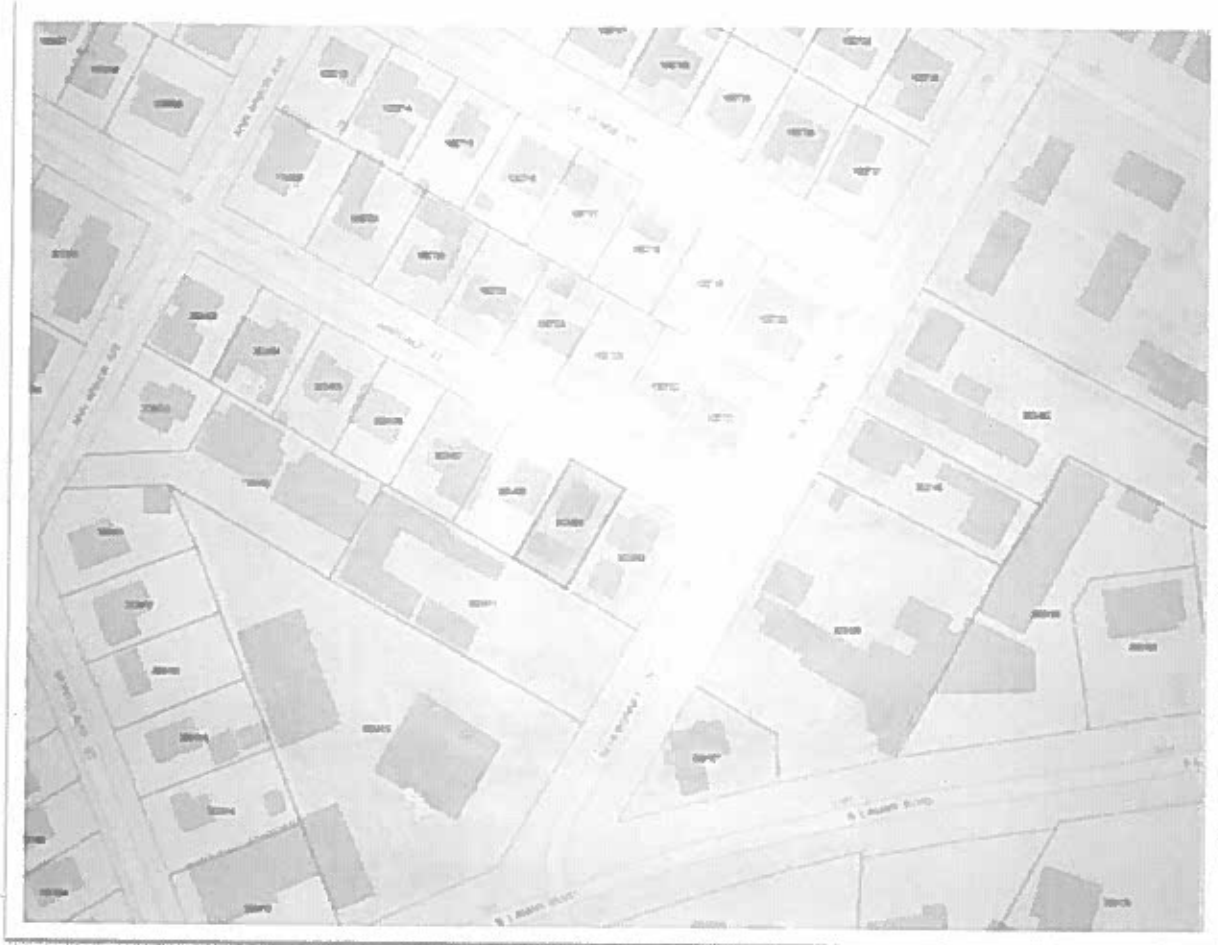
*The City of Austin is committed to compliance with the Americans with Disabilities Act.
Reasonable modifications and equal access to communications will be provided upon request.*

PHONE RECORDS SUGGEST THAT THE ADU WAS CONVERTED PRIOR TO 1994



1984-1988 AUSTIN		COLE'S		PAGE 65	
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71031					

OVER 80% OF THE OWNERS WITHIN 300FT ARE IN SUPPORT OF THE VARIANCE REQUEST



Neighbors felt like this variance is a non-issue since this request involves an existing structure which shouldn't be subject to regulations intended to limit the amount of new construction and conversions in the area.

sell, transfer, assign and convey, unto the said Robert Baurle that certain Mechanic's lien and note executed by J. Thad Lowe and wife, Barbara Ann Lowe, dated the 15th day of June, A.D. 1939, for the sum of Three thousand five hundred dollars (\$3,500.00), payable to L. A. Burditt, or order, at Austin, Texas, which Mechanic's lien and note were on and date by him, the said L. A. Burditt, transferred and assigned to the said R. E. Rawls Lumber Co., Inc., who is now the legal owner and holder of the same.

Said Mechanic's Lien and note having been given by said J. Thad Lowe and wife, Barbara Ann Lowe, to said L. A. Burditt as payment for the location of improvements on that certain tract or parcel of land, situated in the County of Travis, State of Texas, fully described in the said Mechanic's lien herein transferred, recorded in Volume 286, at pages 224 to 237 of the Mechanic's Lien Records of Travis County, Texas, which records are hereby referred to and made a part hereof for all pertinent purposes in the premises.

To have and to hold the above mentioned Mechanic's lien and note, together with all and singular the contract lien, rights, equities and interest in said land, which said R. E. Rawls Lumber Co., Inc. has by virtue of being the assignee and payee of said Mechanic's Lien and note, unto the said Robert Baurle, his heirs and assigns, this conveyance is made, however, without recourse on the said R. E. Rawls Lumber Co., Inc., except as follows, to-wit, that said R. E. Rawls Lumber Co., Inc. does hereby warrant and bind itself that said Mechanic's lien and note are and constitute the first lien on the said land and premises above described, and that all payments, offsets and credits have been allowed.

In witness whereof the said R. E. Rawls Lumber Co., Inc. has caused these presents to be executed by its President, R. E. Rawls, therefor first duly empowered and authorized, this, the 15 day of July, A.D. 1939.

+ R. E. Rawls Lumber Co., Inc.

By R. E. Rawls
Its President.

THE STATE OF TEXAS #

COUNTY OF TRAVIS # BEFORE ME, the undersigned authority in and for said County and State, on this day personally appeared R. E. Rawls, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same as the act and deed of R. E. Rawls Lumber Co., Inc., of Austin, Travis County, Texas, and as the president thereof, and for the purposes and consideration therein expressed.

Given under my hand and seal of office, this the 15 day of July, A.D. 1939.

G. A. Martins

(Notary Seal)

A Notary Public, in and for the County of Travis, State of Texas.
Filed for record 17 July 1939 at 2:20 P.M. Recorded 19 July 1939 at 4:55 P.M.

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STATE OF TEXAS,)

COUNTY OF TRAVIS.)

TO THE PUBLIC

RESTRICTIVE COVENANTS

which shall apply to all lots sold for residential purposes in Rabb Inwood Hills as per plat of said Subdivision duly recorded in the Plat Records of Travis County, Texas, this 6th day of July, A. D. 1939, Volume 4, Page 73, Deed Records, Travis County, Texas.

It is provided, however, that this covenants is made subject to the following restrictive covenants and conditions, to-wit:

1. No mercantile business of any kind shall be carried on, on any premises located within the limits of said subdivision, and no bill-boards shall be erected thereon.

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that all improvements shall be used for residential purposes only; no buildings shall be constructed on said premises other than one detached single family dwelling, constructed of frame, brick or masonry; the floor space to occupy not less than eight hundred square feet shall not exceed two stories in height, with one, two or three car garage. Dwellings shall not be constructed less than twenty-five feet from front property line. No residential lot shall be subdivided into building plots having less than 5000 square feet of area or a width of less than 50 feet each, nor shall any building be erected on any plot having an area of less than 5000 square feet or a frontage of less than 50 feet. Note exception: a two family dwelling will be permitted of same construction above mentioned; the floor space to occupy not less than 1400 square feet.

2. No part of the premises hereby conveyed shall ever be owned by, held or rented to any person of African descent; provided, however, that this clause shall not prevent the employment of such persons as domestic servants and providing customary accommodations for them on said premises.

or placed on said premises herein conveyed as a temporary or permanent residence.

The grantee in this conveyance accepts same subject to the foregoing restrictions and conditions, which is agreed shall be deemed to be covenants running with the land, and the grantee for himself, his heirs and assigns covenant to and with grantor his heirs and assigns that he will faithfully observe the foregoing restrictions, whether or not they are repeated in subsequent conveyances of the above described property.

If the grantee or any person claiming under him, shall at any time violate or attempt to violate or shall omit to perform or observe any of the foregoing restrictions, then it shall be lawful for any person owning land in the residential portion of Rabb Inwood Hills Addition to institute and prosecute appropriate proceedings at law or in equity against the grantee, his heirs or assigns to enforce the provisions herein; and a failure to bring such proceedings for a violation of the provisions herein shall not be deemed or taken as a waiver of any subsequent violation.

I, De Rance C. Rabb, owner of Rabb Inwood Hills as per Plat duly recorded and as above set forth, designate that all Residential Lots above mentioned will be sold subject to Restrictive Covenants as set forth.

De Rance C. Rabb.

STATE OF TEXAS,)

COUNTY OF TRAVIS,)

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared De Rance C. Rabb, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein expressed.

Given under my hand and seal of office, this 15th day of July, 1939.

Frances McWilliams,

(Notary Seal).

Notary Public, Travis County, Texas.

Filed for Record July 17, 1939 at 8:00 A. M. Recorded July 20, 1939 at 7:40 A. M.

-0-0-0-0-0-0-0-0-0-0-0-0-0-0-

THE STATE OF TEXAS,)

COUNTY OF HARRIS,)

KNOW ALL MEN BY THESE PRESENTS:

PROOF OF SUBDIVISION OF LOT 16, BLOCK 8 IN 1949

77

THE STATE OF TEXAS |
COUNTY OF TRAVIS |

KNOW ALL MEN BY THESE PRESENTS:

That I, Melvin Bryant, of Travis County, in the State aforesaid, for and in consideration of ten dollars (\$10.00) and a other valuable considerations to me in hand paid by Howard-Douglas Lumber Co., a corporation, receipt of which is hereby acknowledged, have granted, sold, and conveyed, and by these presents do grant, sell and convey unto the said Howard-Douglas Lumber Co. of the City of Austin, County of Travis, State of Texas, all that certain tract or parcel of land described as:

The west 55 feet off of Lot 16, Block 8, Rabb Inwood Hills Addition to the City of Austin, County of Travis, State of Texas; as said lot is described in a plat of said addition recorded in Vol. 4 page 73 Plat Record, Travis County, Tex. to have and to hold the above described tract or parcel of land, together

with all and singular the rights and appurtenances thereto in anywise belonging, unto the said Howard-Douglas Lumber Company, a corporation, or its assigns, forever. And I do hereby bind myself, my heirs, executors, administrators to warrant and forever defend all and singular the said tract or parcel of land unto the said Howard-Douglas Lumber Company, a corporation, or its assigns, against any and every person whomsoever, lawfully claiming or to claim the same or any part thereof.

Witness my hand this 27th day of November, 1949.

(\$1.10 U.S. Int. Rev. Stamps Can.)

Melvin Bryant
Melvin Bryant

THE STATE OF TEXAS |
COUNTY OF TRAVIS |

BEFORE ME, O. E. Wyse, on this day personally appeared Melvin Bryant, ^{single man} known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN under my hand and seal of office this 27th day of November, 1949.



O. E. Wyse
O. E. Wyse, Notary Public in and for County of Travis, State of Texas

Filed for record Dec. 3, 1949, at 10:45 A.M.
Recorded Dec. 6, 1949, at 1:35 P.M.

LAND STATUS DETERMINATION – 1987 RULE PLATTING EXCEPTION



City of Austin
Watershed Protections & Development Review

LAND STATUS DETERMINATION
1987 RULE PLATTING EXCEPTION

01/12/2007

File Number: C8I-07-0014

Address: 2003 ARPDAL ST

Tax Parcel ID: 0401090909

Map Date: 12/10/2003

The Watershed Protections & Development Review has determined that this parcel, as described in the attached description and map, **IS EXCEPTED FROM THE REQUIREMENT TO PLAT** in accordance with the Land Development Code, Section 25-4-2(C), and is eligible to receive utility service.

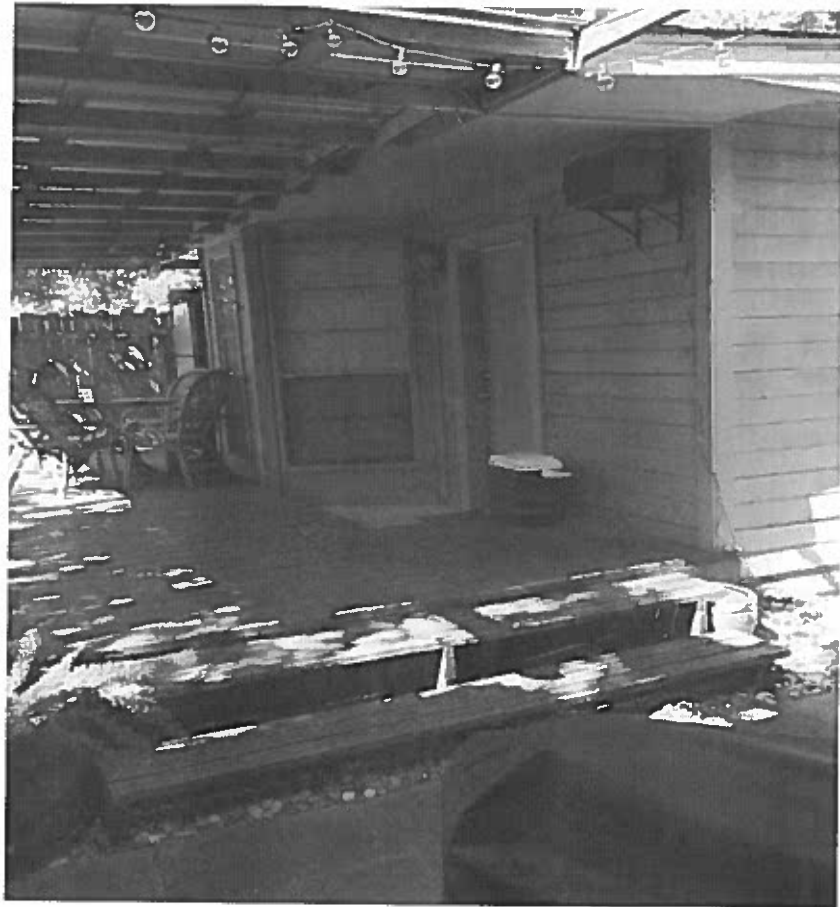
The parcel of land consists of five acres or less, and is described as being the West 55 feet of Lot 16, Block 16, Rabb Inwood Hills Subdivision in the current deed, recorded on 03/15/2004, in Document #2004047737, County Deed Records. This parcel existed in its current configuration on January 1, 1995, as evidenced by a deed recorded on 05/01/1990, in Volume 11177, Page 201, County Deed Records. The parcel was lawfully receiving utility service, as defined in Section 212.012 of the Texas Local Government Code, on January 1, 1995, as evidenced by service on . The parcel meets the requirements of the Land Development Code for roadway frontage and is located on an existing street.

Additional Notes/Conditions:
NONE

This determination of the status of the property is based on the application of Chapter 212, Municipal Regulation of Subdivisions and Property Development, Texas Local Government Code; and the City of Austin Land Development Code, Chapter 25-4, Subdivision. Recognition hereby does not imply approval of any other portion of the City Code or any other regulation.

By: 
SARA GROVES
Director (or representative)
Watershed Protections & Development Review

PICTURES OF ACCESSORY DWELLING UNIT







PERMIT HISTORY

Permit history suggests that the structure was likely converted in 1990.

Harrol B. Gaffey		2003 Arpdale Street	
259	West 55' of 16	8	- -
Inwood Hills			
Frame garage.			
46378 10-5-50		\$350.00	
Owner			



City of Austin

MECHANICAL PERMIT

L1/89

PERMIT NO: 1990-002920-MP
2003 ARPDAL ST

Type: RESIDENTIAL Status: FINAL
Issue Date: 10/23/1990 **EXPIRY DATE: 11/27/1990**

LEGAL DESCRIPTION W 55FT OF LOT 16 BLK 8 RABB INWOOD HILLS		SITE APPROVAL		ZONING	
PROPOSED OCCUPANCY		WORK PERMITTED/Remodel		ISSUED BY:	
Rebuild Electric Service & Connect A/C (Res)					
Total SQFT	Valuation Remodel: \$0.00 Total New: \$500.00	Use CAT.	Floors	Units 1	

Contact Owner, CARRASCO GILBERT CARNERO & JON MILLER CARRASCO & GILBERT CARRASCO-MILLER	Telephone () -
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Fee Description Mechanical Permit Fee Total Fees:	Fee Amount \$26.00 \$26.00	Paid Date 10/24/1990	Inspection Requirements Mechanical Inspection
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City Code Chapter 25-12, Article 13: A permit expires on the 181st day if the project has not scheduled nor received an inspection.
A "Cancelled" and/or "Failed/No Work Performed" inspection result does not extend the expiration date.

Comments Inv Mech And Pibg 10-24-90 Pd Invest Mech Fee 10-24-90 Escrow*** Ok Snl Oh

BY ACCEPTING OR PAYING FOR THIS PERMIT YOU ARE DECLARING THAT YOU ARE THE OWNER OR AUTHORIZED BY THE OWNER THAT THE DATA SUBMITTED AT THE TIME OF APPLICATION WAS TRUE FACTS AND THAT THE WORK WILL CONFORM TO THE PLANS AND SPECIFICATION SUBMITTED HEREWITH.



City of Austin

MECHANICAL PERMIT

L1/90

PERMIT NO: 1990-002920-MP
2003 ARPDAL ST

Type: RESIDENTIAL Status: FINAL
Issue Date: 10/23/1990 **EXPIRY DATE: 11/27/1990**

LEGAL DESCRIPTION W 55FT OF LOT 16 BLK 8 RAB8 INWOOD HILLS		SITE APPROVAL		ZONING	
PROPOSED OCCUPANCY		WORK PERMITTED Remodel		ISSUED BY:	
Rebuild Electric Service & Connect A/C (Res)					
Total SQFT	Valuation Remodel: \$0.00 Total New: \$500.00	Use CAT	Floors	Units 1	

Type	Date	Status	Comments	Inspector
405 Final Mechanical	11/27/1990	Pass	MIGRATED FROM PIER.	

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City of Austin

ELECTRIC PERMIT

L1/91

PERMIT NO: 1990-002920-EP

Type: RESIDENTIAL Status: Final

2003 ARPDAL ST

Issue Date: 10/23/1990 EXPIRY DATE: 10/24/1990

LEGAL DESCRIPTION W 55FT OF LOT 16 BLK 8 RAB INWOOD HILLS		SITE APPROVAL		ZONING	
PROPOSED OCCUPANCY Rebuild Electric Service & Connect A/C (Res)	WORK PERMITTED: Remodel		ISSUED BY:		
Total SQFT	Valuation Remodel: \$ 00	Use CAT	Floors	Units 1	

<u>Contact</u> Owner, CARRASCO GILBERT CARNERO & JON MILLER CARRASCO & GILBERT CARRASCO-MILLER	<u>Telephone</u> () -
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<table><tr><td><u>Fee Description</u></td><td><u>Fee Amount</u></td><td><u>Paid Date</u></td></tr><tr><td>Electrical Permit Fee</td><td>\$21.00</td><td>10/23/1990</td></tr><tr><td>Mechanical Permit Fee</td><td>\$26.00</td><td>10/24/1990</td></tr><tr><td>Total Fees:</td><td>\$47.00</td><td></td></tr></table>	<u>Fee Description</u>	<u>Fee Amount</u>	<u>Paid Date</u>	Electrical Permit Fee	\$21.00	10/23/1990	Mechanical Permit Fee	\$26.00	10/24/1990	Total Fees:	\$47.00		<table><tr><td><u>Inspection Requirements</u></td></tr><tr><td>Electric Inspection</td></tr></table>	<u>Inspection Requirements</u>	Electric Inspection
<u>Fee Description</u>	<u>Fee Amount</u>	<u>Paid Date</u>													
Electrical Permit Fee	\$21.00	10/23/1990													
Mechanical Permit Fee	\$26.00	10/24/1990													
Total Fees:	\$47.00														
<u>Inspection Requirements</u>															
Electric Inspection															

City Code Chapter 25-12, Article 13: A permit expires on the 181st day if the project has not scheduled nor received an inspection.

A "Cancelled" and/or "Failed/No Work Performed" inspection result does not extend the expiration date.

It is a violation and a fineable offense to cut or tamper with the Austin Energy meter seal. Austin Energy shall fine and/or prosecute to the fullest extent any offenses that are discovered and verified.

<u>Comments</u> Inv Mech And Plbg 10-24-90 Pd Invest Mech Fee 10-24-90 Escrow*** Ok Snl Oh

BY ACCEPTING OR PAYING FOR THIS PERMIT YOU ARE DECLARING THAT YOU ARE THE OWNER OR AUTHORIZED BY THE OWNER THAT THE DATA SUBMITTED AT THE TIME OF APPLICATION WAS TRUE FACTS AND THAT THE WORK WILL CONFORM TO THE PLANS AND SPECIFICATION SUBMITTED HEREWITH.



City of Austin

ELECTRIC PERMIT

L1/92

PERMIT NO: 1990-002920-EP

Type: RESIDENTIAL Status: Final

2003 ARPDAL ST

Issue Date: 10/23/1990 EXPIRY DATE: 10/24/1990

LEGAL DESCRIPTION W 55FT OF LOT 16 BLK 8 RABB INWOOD HILLS		SITE APPROVAL		ZONING	
PROPOSED OCCUPANCY Rebuild Electric Service & Connect A/C (Res)	WORK PERMITTED: Remodel		ISSUED BY:		
Total SQFT	Valuation Remodel: \$ 00	Use CAT	Floors	Units 1	

Type	Date	Status	Comments	Inspector
305 Final Electric	10/24/1990	Pass	MIGRATED FROM PIER.	

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City of Austin

PLUMBING PERMIT

L1/93

PERMIT NO: 1990-002976-PP

Type: RESIDENTIAL Status: Final

2003 ARPDAL ST

Issue Date: 10/24/1990 EXPIRY DATE: 10/25/1990

LEGAL DESCRIPTION W 55FT OF LOT 16 BLK 8 RABB INWOOD HILLS		SITE APPROVAL	ZONING	
PROPOSED OCCUPANCY Gas Test Residence	WORK PERMITTED: Remodel		ISSUED BY:	
Total SQFT	Valuation Remodel: \$00	Use CAT. R1-2	Floors	Units 1

Contact Owner, CARRASCO GILBERT CARNERO & JON MILLER CARRASCO & GILBERT CARRASCO-MILLER	Telephone () -
---	---------------------------

Fee Description Plumbing Permit Fee Total Fees:	Fee Amount \$21.00 \$21.00	Paid Date 10/24/1990	Inspection Requirements Plumbing Inspection
---	---	--------------------------------	---

City Code Chapter 25-12, Article 13: A permit expires on the 181st day if the project has not scheduled nor received an inspection. A "Cancelled" and/or "Failed/No Work Performed" inspection result does not extend the expiration date.

Comments

BY ACCEPTING OR PAYING FOR THIS PERMIT YOU ARE DECLARING THAT YOU ARE THE OWNER OR AUTHORIZED BY THE OWNER THAT THE DATA SUBMITTED AT THE TIME OF APPLICATION WAS TRUE FACTS AND THAT THE WORK WILL CONFORM TO THE PLANS AND SPECIFICATION SUBMITTED HEREWITH.



City of Austin

PLUMBING PERMIT

L1/94

PERMIT NO: 1990-002976-PP

Type: RESIDENTIAL Status: Final

2003 ARPDAL ST

Issue Date: 10/24/1990 EXPIRY DATE: 10/25/1990

LEGAL DESCRIPTION W 55FT OF LOT 16 BLK 8 RABB INWOOD HILLS		SITE APPROVAL		ZONING	
PROPOSED OCCUPANCY Gas Test Residence	WORK PERMITTED: Remodel			ISSUED BY:	
Total SQFT	Valuation Remodel: \$0.00	Use CAT. R1-2	Floors	Units 1	
<u>Type</u>	<u>Date</u>	<u>Status</u>	<u>Comments</u>		<u>Inspector</u>
521 Final Plumbing	10/25/1990	Pass	MIGRATED FROM PIER.		



City of Austin

PLUMBING PERMIT

L1/95

PERMIT NO: 1990-005074-PP

Type: RESIDENTIAL Status: Final

2003 ARPDAL ST

Issue Date: 10/25/1990 EXPIRY DATE: 10/26/1990

LEGAL DESCRIPTION W 55FT OF LOT 16 BLK 8 RABB INWOOD HILLS		SITE APPROVAL	ZONING	
PROPOSED OCCUPANCY Install Water Heater In Existing Residence	WORK PERMITTED: Remodel		ISSUED BY:	
Total SQFT	Valuation Remodel: \$.00	Use CAT. R1-2	Floors	Units 1

Contact Owner, CARRASCO GILBERT CARNERO & JON MILLER CARRASCO & GILBERT CARRASCO-MILLER	Telephone () -
---	---------------------------

Fee Description Plumbing Permit Fee	Fee Amount \$21.00	Paid Date 10/25/1990	Inspection Requirements Plumbing Inspection
Total Fees:		\$21.00	

City Code Chapter 25-12, Article 13: A permit expires on the 181st day if the project has not scheduled nor received an inspection. A "Cancelled" and/or "Failed/No Work Performed" inspection result does not extend the expiration date.

Comments

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BY ACCEPTING OR PAYING FOR THIS PERMIT YOU ARE DECLARING THAT YOU ARE THE OWNER OR AUTHORIZED BY THE OWNER THAT THE DATA SUBMITTED AT THE TIME OF APPLICATION WAS TRUE FACTS AND THAT THE WORK WILL CONFORM TO THE PLANS AND SPECIFICATION SUBMITTED HEREWITH.



City of Austin

PLUMBING PERMIT

L1/96

PERMIT NO: 1990-005074-PP

Type: RESIDENTIAL Status: Final

2003 ARPDAL ST

Issue Date: 10/25/1990 EXPIRY DATE: 10/26/1990

LEGAL DESCRIPTION W 55FT OF LOT 16 BLK 8 RABB INWOOD HILLS		SITE APPROVAL	ZONING
PROPOSED OCCUPANCY Install Water Heater In Existing Residence	WORK PERMITTED: Remodel	ISSUED BY:	
Total SQFT	Valuation Remodel: \$ 00	Use CAT. R1-2	Floors Units 1

Type	Date	Status	Comments	Inspector
500 Plumbing Rough	10/26/1990	Pass	MIGRATED FROM PIER.	
501 Plumbing Copper	10/26/1990	Pass	MIGRATED FROM PIER.	
502 Plumbing Top Out	10/26/1990	Pass	MIGRATED FROM PIER.	
505 Sewer Yard Line	10/26/1990	Pass	MIGRATED FROM PIER.	
521 Final Plumbing	10/26/1990	Pass	MIGRATED FROM PIER.	



City of Austin

ELECTRIC PERMIT

L1/97

PERMIT NO: 1997-002369-EP

2003 ARPDAL ST

Type: RESIDENTIAL Status: Final

Issue Date: 10/07/1997 EXPIRY DATE: 10/20/1997

LEGAL DESCRIPTION W 55FT OF LOT 16 BLK 8 RABB INWOOD HILLS		SITE APPROVAL		ZONING	
PROPOSED OCCUPANCY	WORK PERMITTED: Remodel		ISSUED BY:		
Replace Breaker Box/Upgrade Existing Service					
Total SQFT	Valuation	Remodel: \$0.00	Use CAT	Floors	Units
					1

Fee Description	Fee Amount	Paid Date
Electrical Permit Fee	\$23.00	10/07/1997
Total Fees:	\$23.00	

City Code Chapter 25-12, Article 13: A permit expires on the 181st day if the project has not scheduled nor received an inspection.

A "Cancelled" and/or "Failed/No Work Performed" inspection result does not extend the expiration date.

It is a violation and a fineable offense to cut or tamper with the Austin Energy meter seal. Austin Energy shall fine and/or prosecute to the fullest extent any offenses that are discovered and verified.

Comments

BY ACCEPTING OR PAYING FOR THIS PERMIT YOU ARE DECLARING THAT YOU ARE THE OWNER OR AUTHORIZED BY THE OWNER THAT THE DATA SUBMITTED AT THE TIME OF APPLICATION WAS TRUE FACTS AND THAT THE WORK WILL CONFORM TO THE PLANS AND SPECIFICATION SUBMITTED HEREWITH.



City of Austin

ELECTRIC PERMIT

L1/98

PERMIT NO: 1997-002369-EP
2003 ARPDAL ST

Type: RESIDENTIAL Status: Final

Issue Date: 10/07/1997 **EXPIRY DATE: 10/20/1997**

LEGAL DESCRIPTION W 55FT OF LOT 16 BLK 8 RABB INWOOD HILLS		SITE APPROVAL	ZONING	
PROPOSED OCCUPANCY Replace Breaker Box/Upgrade Existing Service	WORK PERMITTED: Remodel	ISSUED BY:		
Total SQFT	Valuation Remodel: \$0.00	Use CAT	Floors	Units 1

Type	Date	Status	Comments	Inspector
305 Final Electric	10/20/1997	Pass	MIGRATED FROM PIER.	

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City of Austin

MECHANICAL PERMIT

L1/99

PERMIT NO: 1997-002369-MP
2003 ARPDAL ST

Type: RESIDENTIAL Status: FINAL
Issue Date: 10/07/1997 **EXPIRY DATE: 08/29/2007**

LEGAL DESCRIPTION W 55FT OF LOT 16 BLK 8 RABB INWOOD HILLS		SITE APPROVAL		ZONING	
PROPOSED OCCUPANCY Replace Breaker Box/Upgrade Existing Service		WORK PERMITTED Remodel		ISSUED BY:	
Total SQFT	Valuation Remodel: \$0.00 Total New: \$490.00	Use CAT.	Floors	Units 1	

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	<u>Inspection Requirements</u> Mechanical Inspection

City Code Chapter 25-12, Article 13: A permit expires on the 181st day if the project has not scheduled nor received an inspection.
A "Cancelled" and/or "Failed/No Work Performed" inspection result does not extend the expiration date.

<u>Comments</u>

BY ACCEPTING OR PAYING FOR THIS PERMIT YOU ARE DECLARING THAT YOU ARE THE OWNER OR AUTHORIZED BY THE OWNER THAT THE DATA SUBMITTED AT THE TIME OF APPLICATION WAS TRUE FACTS AND THAT THE WORK WILL CONFORM TO THE PLANS AND SPECIFICATION SUBMITTED HEREWITH.



City of Austin

MECHANICAL PERMIT

L1/100

PERMIT NO: 1997-002369-MP
2003 ARPDAL ST

Type: RESIDENTIAL Status: FINAL
Issue Date: 10/07/1997 **EXPIRY DATE: 08/29/2007**

LEGAL DESCRIPTION W 55FT OF LOT 16 BLK 8 RAB8 INWOOD HILLS		SITE APPROVAL		ZONING	
PROPOSED OCCUPANCY Replace Breaker Box/Upgrade Existing Service		WORK PERMITTED Remodel		ISSUED BY:	
Total SQFT	Valuation Remodel: \$0.00 Total New: \$490.00	Use CAT.	Floors	Units 1	



City of Austin
BUILDING PERMIT

L1/101

PERMIT NO: 2007-141411-BP
2003 ARPDAL ST

Type: RESIDENTIAL Status: Final
Issue Date: 08/06/2007 EXPIRY DATE: 09/26/2007

LEGAL DESCRIPTION W 55FT OF LOT 16 BLK 8 RABB INWOOD HILLS	SITE APPROVAL	ZONING SF-3
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PROPOSED OCCUPANCY:	WORK PERMITTED: Remodel	ISSUED BY: Tarrah Adams
Reroof exst 1 story sf res, replace/modify framing, rafters to complete gable roof over flat roof area.		

TOTAL SQFT	VALUATION	TYPE CONST.	USE CAT.	GROUP	FLOORS	UNITS	# OF PKG SPACES
Remodel: 0	Tot Val Rem: \$12,500.00 Tot Job Val: \$.00		435		1	1	
TOTAL BLDG. COVERAGE	% COVERAGE	TOTAL IMPERVIOUS COVERAGE	% COVERAGE	# OF BATHROOMS	METER SIZE		

Contact	Phone	Contact	Phone
Applicant, Jeremy Wren, Referred Renovations	(512) 669-8618	Owner, CARRASCO GILBERT CARNERO & JON MILLER CARRA () -	
Owner, FUENTES GINO CARLOS	() -	General Contractor, Jeremy Wren, Referred Renovations	(512) 669-8618

<u>Fee Desc</u>	<u>Amount</u>	<u>Date</u>	<u>Fee Desc</u>	<u>Amount</u>	<u>Date</u>	<u>Fee Desc</u>	<u>Amount</u>	<u>Date</u>
Building Permit Fee	135.00	8/6/2007						
Fees Total:	135.00							

Inspection Requirements

Building Inspection

All Buildings, Fences, Landscaping, Patios, Flatwork And Other Uses Or Obstructions Of A Drainage Easement Are Prohibited, Unless Expressly Permitted By A License Agreement Approved By COA Authorizing Use Of The Easement.

City Code Chapter 25-12, Article 13: A permit expires on the 181st day if the project has not scheduled nor received an inspection.
A "Cancelled" and/or "Failed/No Work Performed" inspection result does not extend the expiration date.

The following permits are required as a separate permit: See Mechanical, Electrical, Plumbing permits for Related Fees and Inspections.

Comments

No change to IC/BC/GFA. No plmg/elec/mech work permitted. No removal of ext walls.

Residential Zoning Review

Date	Reviewer
08/06/2007	Daniel Word

By Accepting Or Paying For This Permit You are Declaring That You Are The Owner Or Authorized By The Owner That The Data Submitted At The Time Of Application Was True Facts And That The Work Will Conform To The Plans And Specification Submitted Herewith.



City of Austin
BUILDING PERMIT

L1/102

PERMIT NO: 2007-141411-BP

2003 ARPDAL ST

Type: RESIDENTIAL

Status: Final

Issue Date: 08/06/2007

EXPIRY DATE: 09/26/2007

LEGAL DESCRIPTION W 55FT OF LOT 16 BLK 8 RABB INWOOD HILLS						SITE APPROVAL		ZONING SF-3	
PROPOSED OCCUPANCY:		WORK PERMITTED: Remodel				ISSUED BY: Tarrah Adams			
Reroof exst 1 story sf res, replace/modify framing, rafters to complete gable roof over flat roof area.									
TOTAL SQFT Remodel: 0		VALUATION Tot Val Rem: \$12,500.00 Tot Job Val: \$0.00		TYPE CONST.	USE CAT. 435	GROUP	FLOORS 1	UNITS 1	# OF PKG SPACES
TOTAL BLDG. COVERAGE		% COVERAGE	TOTAL IMPERVIOUS COVERAGE		% COVERAGE		# OF BATHROOMS		METER SIZE

Type	Date	Status	Comments	Inspector
101 Building Layout	9/5/2007	Pass		Donald Klesel
102 Foundation		Open		Donald Klesel
103 Framing	9/5/2007	Pass		Donald Klesel
104 Insulation		Open		Donald Klesel
105 Wallboard		Open		Donald Klesel
108 TCO Stocking		Open		Donald Klesel
111 Energy Final	9/26/2007	Pass		Donald Klesel
112 Final Building	9/26/2007	Pass		Donald Klesel
Deficiencies		Open		Donald Klesel



**City of Austin
BUILDING PERMIT**

L1/103

PERMIT NO: 2013-003404-BP
2003 ARPDAL ST

Type: RESIDENTIAL **Status:** Final
Issue Date: 01/16/2013 **EXPIRY DATE:** 03/29/2013

LEGAL DESCRIPTION W 55FT OF LOT 16 BLK 8 RABB INWOOD HILLS						SITE APPROVAL		ZONING SF-3	
PROPOSED OCCUPANCY:		WORK PERMITTED: Repair				ISSUED BY: Glenda Wilsford			
Install 1 replacement windows on the front of the existing single family residence.									
TOTAL SQFT Remodel: 1,524		VALUATION Tot Val Rem: \$442.00 Tot Job Val: \$442.00		TYPE CONST.	USE CAT. 435	GROUP	FLOORS 1	UNITS 1	# OF PKG SPACES
TOTAL BLDG. COVERAGE		% COVERAGE	TOTAL IMPERVIOUS COVERAGE		% COVERAGE	# OF BATHROOMS 0		METER SIZE n/a	

Contact	Phone	Contact	Phone
Applicant, Mike P. Connors, Titan Siding, Windows and Exteriors (512) 944-8029		Owner, Scott Jacobs	(512) 908-0770
General Contractor, Mike P. Connors, Titan Siding, Windows and E (512) 944-8029			

<u>Fee Desc</u>	<u>Amount</u>	<u>Date</u>	<u>Fee Desc</u>	<u>Amount</u>	<u>Date</u>	<u>Fee Desc</u>	<u>Amount</u>	<u>Date</u>
Building Permit Fee	29.00	1/16/2013	Development Services Surchar	1.32	1/16/2013	Residential Express Review	4.00	1/16/2013
Fees Total:	34.32							

Inspection Requirements
Building Inspection

All Buildings, Fences, Landscaping, Patios, Flatwork And Other Uses Or Obstructions Of A Drainage Easement Are Prohibited, Unless Expressly Permitted By A License Agreement Approved By COA Authorizing Use Of The Easement.
City Code Chapter 25-12, Article 13: A permit expires on the 181st day if the project has not scheduled nor received an inspection.
A "Cancelled" and/or "Failed/No Work Performed" inspection result does not extend the expiration date.

The following permits are required as a separate permit: See Mechanical, Electrical, Plumbing permits for Related Fees and Inspections.

Comments

Residential Zoning Review	Date 01/14/2013	Reviewer Bryan Walker
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By Accepting Or Paying For This Permit You are Declaring That You Are The Owner Or Authorized By The Owner That The Data Submitted At The Time Of Application Was True Facts And That The Work Will Conform To The Plans And Specification Submitted Herewith.



City of Austin
BUILDING PERMIT

L1/104

PERMIT NO: 2013-003404-BP

2003 ARPDAL ST

Type: RESIDENTIAL

Status: Final

Issue Date: 01/16/2013

EXPIRY DATE: 03/29/2013

LEGAL DESCRIPTION W 55FT OF LOT 16 BLK 8 RABB INWOOD HILLS						SITE APPROVAL		ZONING SF-3	
PROPOSED OCCUPANCY:		WORK PERMITTED: Repair				ISSUED BY: Glenda Wilsford			
Install 1 replacement windows on the front of the existing single family residence.									
TOTAL SQFT Remodel: 1,524		VALUATION Tot Val Rem: \$442.00 Tot Job Val: \$442.00		TYPE CONST.	USE CAT. 435	GROUP	FLOORS 1	UNITS 1	# OF PKG SPACES
TOTAL BLDG. COVERAGE		% COVERAGE	TOTAL IMPERVIOUS COVERAGE		% COVERAGE	# OF BATHROOMS 0		METER SIZE n/a	

Type	Date	Status	Comments	Inspector
101 Building Layout	3/29/2013	Pass		Douglas McAfee
102 Foundation		Open		Douglas McAfee
103 Framing		Open		Douglas McAfee
104 Insulation		Open		Douglas McAfee
105 Wallboard		Open		Douglas McAfee
109 TCO Occupancy		Open		Douglas McAfee
112 Final Building	3/29/2013	Pass		Douglas McAfee
114 Continuance of work		Open		Douglas McAfee
Deficiencies		Open		Douglas McAfee

Cen. Yr. Sequence Sec. Rev. Type Status
Number 20 16 016025 000 00 PP Plumbing Permit Pending

Property

House	Prefix	Street	Type	Direction	Unit Type	Unit
Address 2003		ARPDAL	STREET			
City	Postal Code	Roll	Property Row ID			
AUSTIN	78704	0401090909	812,960			
Location W 55FT OF LOT 16 BLK 8 RABB INWOOD HILLS						

Indicators

Violations	<input checked="" type="checkbox"/>
Properties	<input type="checkbox"/>
Parent	<input checked="" type="checkbox"/>
Child	<input type="checkbox"/>
Due	\$.00

In Date Feb 16, 2016 Issue/Approval Expires

Reference File # By Final Date

Sub Work Priority

Name 2003 ARPDAL ST

Description Austin Water Violation Plumbing Permit

Conditions

Group Permits Parent ID 11485097 Row ID 11485099

SIGNATURES IN SUPPORT OF VARIANCE REQUEST

Answers



I, Scott Jacobs, am applying for a variance from the Board of Adjustment regarding Section 25-2-492 of the Land Development Code. The variance would allow me the ability to keep my backhouse which is currently in violation of set back requirements. The structure was built in 1949, but I inherited this problem when I bought the property in 2012.
By signing this form, I understand that I am declaring my support for the variance being requested.

Property Owner Name (Printed)	Address	Signature
Bryan Campbell	2004 Arpdale St Austin, TX 78707	[Signature]
Zita Raymond	2013 Arpdale	[Signature]
Kelly Cottrell	2003 De Vonne St Austin, TX 78704	[Signature]
Jessica Michael Bryant	2007 De Vonne St Austin, TX 78704	[Signature]
Karen Sullivan	2007 Arpdale St Austin, TX 78704	[Signature]
Nessa Higgins	2010 Arpdale St Austin, TX 78704	[Signature]
Jason C. Bena	2009 Arpdale St Austin, TX 78704	[Signature]

512 785
6050
-to Helan

L1/108

[illegible]

Occupants



I, Scott Jacobs, am applying for a variance from the Board of Adjustment regarding Section 25-2-492 of the Land Development Code. The variance would allow me the ability to keep my backhouse which is in violation of a few set back requirements. The structure was built without a permit in 1949 and I inherited this problem when I purchased the house in 2017.
By signing this form, I understand that I am declaring my support for the variance being requested.
Tenant

Property Owner Name (Printed)	Address	Signature
James Lorett	2002 Arpdale St., Austin, TX 78704	
Ken Collins	2002 Arpdale St Austin TX 78704	
MARTIN PARISH	2302 BLUEBONNET 78704	
Lauran Gonzalez	2006 Arpdale St. 78704	

James Lorett

By signing this letter, I support Scott Jacobs in his variance request to the Board of Adjustment for 2003 Arpdale St. regarding Section 25-2-492 of the Land Development Code, which pertains to setback requirements highlighted below:

25-2-492 - SITE DEVELOPMENT REGULATIONS

- (A) The table in Subsection (D) establishes the principal site development regulations for each zoning district.
- (B) Except as provided in Subsection (C), if a requirement of Subsection (D) conflicts with another provision of this title, the more restrictive regulation governs.
- (C) The requirements of the other provisions of this subchapter supersede the requirements of Subsection (D), to the extent of conflict.
- (D) Site development regulation table.

Source: Section 23-2-630; Ord. 990225-70; Ord. 991104-46; Ord. 000511-109; Ord. 030731-53; Ord. 031211-11; Ord. 041118-57; Ord. 20100819-064.

	LA	RR	SF-1***	SF-2	SF-3
MINIMUM LOT SIZE (square feet):	43,560	43,560	10,000	5,750	5,750
MINIMUM LOT WIDTH:	100	100	60	50	50
MAXIMUM DWELLING UNITS PER LOT:	1	1	1	1	**
MAXIMUM HEIGHT:	35	35	35	35	35
MINIMUM SETBACKS					
FRONT YARD:	40	40	25	25	25
STREET SIDE YARD:	25	25	15	15	15
INTERIOR SIDE YARD:	10	10	5	5	5
REAR YARD:	20	20	10	10	10
MAXIMUM BUILDING COVERAGE:	—	20%	35%	40%	40%
MAXIMUM IMPERVIOUS COVER:	*	25%	40%	45%	45%

Property Address	Owner Name	Owner Signature
2305 BLUEBONNET LN	ALLEN DANZIGER	Allen Danziger


By signing this letter, I support Scott Jacobs in his variance request to the Board of Adjustment for 2003 Arpdale St. regarding Section 25-2-492 of the Land Development Code, which pertains to setback requirements highlighted below:

§ 25-2-492 - SITE DEVELOPMENT REGULATIONS.

- (A) The table in Subsection (D) establishes the principal site development regulations for each zoning district.
- (B) Except as provided in Subsection (C), if a requirement of Subsection (D) conflicts with another provision of this title, the more restrictive regulation governs.
- (C) The requirements of the other provisions of this subchapter supersede the requirements of Subsection (D), to the extent of conflict.
- (D) Site development regulation table.

Source: Section 13-2-630; Ord. 990225-70; Ord. 991104-46; Ord. 000511-109; Ord. 030731-53; Ord. 031211-11; Ord. 041118-57; Ord. 20100619-064.

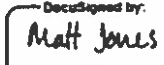
	LA	RR	SF-1***	SF-2	SF-3
MINIMUM LOT SIZE (square feet):	43,560	43,560	10,000	5,750	5,750
MINIMUM LOT WIDTH:	100	100	60	50	50
MAXIMUM DWELLING UNITS PER LOT:	1	1	1	1	**
MAXIMUM HEIGHT:	35	35	35	35	35
MINIMUM SETBACKS:					
FRONT YARD:	40	40	25	25	25
STREET SIDE YARD:	25	25	15	15	15
INTERIOR SIDE YARD:	10	10	5	5	5
REAR YARD:	20	20	10	10	10
MAXIMUM BUILDING COVERAGE:	—	20%	35%	40%	40%
MAXIMUM IMPERVIOUS COVER:	*	25%	40%	45%	45%

Property Address	Owner Name	Owner Signature
2001 Arpdale St.	Rebecca Heston	DocuSigned by:  017AASCB8890408...

DocuSign Envelope ID: D1347498-159D-42B1-A354-E4863DD5D7FB

Scott Jacobs is requesting a variance from the Board of Adjustment regarding Section 25-2-492 of the Land Development Code, which pertains to setback requirements.

By signing this form, I understand that I am declaring my support for the variance being requested by Scott Jacobs.

Property Address	Property Owner Name	Signature
2103 Bluebonnet	Matt Jones	<div>DocuSigned by:  30C8DFEE4A1D41E</div>

Do you have any questions? Feel free to contact me at scott.jacobs@yale.edu or 214-908-0770.

DocuSign Envelope ID: 1FD92DE0-5B66-4127-8852-46FD8F8A76CA

Scott Jacobs is requesting a variance from the Board of Adjustment regarding Section 25-2-492 of the Land Development Code, which pertains to setback requirements.

By signing this form, I understand that I am declaring my support for the variance being requested by Scott Jacobs.

Property Address	Property Owner Name	Signature
2126 Goodrich Ave., Austin TX 78704	Jimi Teasdale	<div>Decoded by: Jimi Teasdale E8E'0056EDA0B413</div>

Do you have any questions? Feel free to contact me at scott.jacobs@yale.edu or 214-908-0770.

DocuSign Envelope ID: 2A35735C-9FDF-44D3-BDCA-2CD00832111E

Scott Jacobs is requesting a variance from the Board of Adjustment regarding Section 25-2-492 of the Land Development Code, which pertains to setback requirements.

By signing this form, I understand that I am declaring my support for the variance being requested by Scott Jacobs.

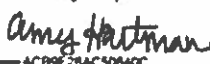
Property Address	Property Owner Name	Signature
2012 Arpdale St.	Sean Kubicek	<div>Digitized by: Sean Kubicek EDHE08JDC879-1111</div>

Do you have any questions? Feel free to contact me at scott.jacobs@yale.edu or 214-908-0770.

DocuSign Envelope ID: FFC104C6-E8C6-48DD-A5C0-763ABFA2AA1C

Scott Jacobs is requesting a variance from the Board of Adjustment regarding Section 25-2-492 of the Land Development Code, which pertains to setback requirements.

By signing this form, I understand that I am declaring my support for the variance being requested by Scott Jacobs.

Property Address	Property Owner Name	Signature
2002 Arpdale Street Austin, Texas 78704	Amy Hartman	<div>DocuSigned by:  ACB9E7BAC50640C</div>

Do you have any questions? Feel free to contact me at scott.jacobs@yale.edu or 214-908-0770.

DocuSign Envelope ID: 8FE94EA0-A7BE-4907-8943-BF410CFF0311

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By signing this form, I understand that I am declaring my support for the variance being requested by Scott Jacobs.

Property Address	Property Owner Name	Signature
2406 Bluebonnet Lane Chimney Park Apartments Miller Properties	Grace Hubbard	<div>Decoded by: <i>Grace Hubbard</i> F8066F788B084EF</div>

Do you have any questions? Feel free to contact me at scott.jacobs@yale.edu or 214-908-0770.

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Property Address	Property Owner Name	Signature
2011 Arpdale St.	River City Cap Partners	

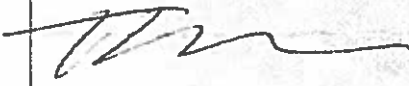
Please return this signed form in the return envelope. Thanks!

feel free to contact me if needed
at 512-638-6389

Do you have any questions? Feel free to contact me at scott.jacobs@yale.edu or 214-908-0770.

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Property Address	Property Owner Name	Signature
2005 DeVerne St.	Thomas W. Brown Susan Eggert	 Susan Eggert

Please return this signed form in the return envelope. Thanks!

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Property Address	Property Owner Name	Signature
2340 S. Lamar	Samir Maamary	

Please return this signed form in the return envelope. Thanks!

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By signing this form, I understand that I am declaring my support for the variance being requested by Scott Jacobs.

Property Address	Property Owner Name	Signature
2330 S. Lamar		

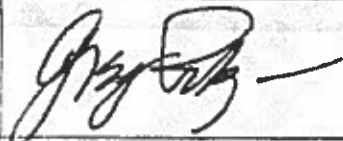
Please return this signed form in the return envelope. Thanks!

Lora Margaret Gilbreth

Do you have any questions? Feel free to contact me at scott.jacobs@yale.edu or 214-908-0770.

Scott Jacobs is requesting a variance from the Board of Adjustment regarding Section 25-2-492 of the Land Development Code, which pertains to setback requirements.

By signing this form, I understand that I am declaring my support for the variance being requested by Scott Jacobs.


Property Address	Property Owner Name	Signature
2008 Arpdale St.	GREG PITZER	

Please return this signed form in the return envelope. Thanks!

Do you have any questions? Feel free to contact me at scott.jacobs@yale.edu or 214-908-0770.

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By signing this form, I understand that I am declaring my support for the variance being requested by Scott Jacobs.

Property Address	Property Owner Name	Signature
2418 S. Lamar	Chris Petropoulos	

Please return this signed form in the return envelope. Thanks!

Do you have any questions? Feel free to contact me at scott.jacobs@yale.edu or 214-908-0770.

Leane Heldenfels
Board of Adjustment Liaison
City of Austin
1st Floor – Development Assistance Center
505 Barton Springs Road
Austin, TX 78704

Re: 1301 Koenig Lane, comprising approximately 5.416 acres (the “Property”) – Board of Adjustment General Variance Application (Case C15-2017-0018, the “Variance Application”)

Dear Ms. Heldenfels:

On behalf of the applicant, owner of the Property in the above-referenced matter, we submitted the Variance Application.

The Property is located on the south side of West Koenig Lane, between Woodrow Avenue and Grover Avenue, and was previously occupied by an automotive sales and repair use. Property zoned SF-3 adjacent to the subject tract -- McCallum High School to the east, and SF-lots to the west – trigger Article 10 (Compatibility Standards) of Subchapter A, Chapter 25-2, of the Austin Land Development Code with respect to the subject tract. (See Exhibits 6-8 of the Variance Application).

The Property is currently zoned CS-MU-CO-NP, and a conditional overlay to the Brentwood Neighborhood Plan approved May 2004 limits height of the Property to 40 feet and 3 stories. The applicant filed a zoning application Case C14-2016-0071 to rezone the 5.04 Tract 1 MF-6 for proposed apartments, and contemplated Tract 2 (0.37 acres) as proposed retail use per existing zoning. The zoning application also requested modifying the existing CO to authorize a maximum of 4 stories on the Property (the zoning application otherwise did not propose to modify the 40’ maximum height limitation per the existing CO). The Planning Commission unanimously approved the rezoning request, with conditions, on December 14, 2016, and it is scheduled for first reading by the City Council on 4-20-17.

In early 2017, City floodplain staff informed the Property project team of staff’s interpretation of City Code provisions that required raising the proposed apartment buildings slightly higher than initially contemplated. This recent floodplain staff interpretation necessitates a slight increase of the proposed maximum height for the proposed apartment buildings from 40’ as initially contemplated, to a maximum 45’. This height increase required by City floodplain staff’s interpretation requires (1) the requested variances, as described in more detail in the Variance Application, and (2) modifying the rezoning case to authorize a maximum height of 45’. The project team continues discussions with the Brentwood Neighborhood Association regarding the variances requested in the Variance Application, and we are optimistic based on discussions to date that BNA will support these requests.

We look forward to providing additional detail to Board of Adjustment Commissioners at their April 10, 2017, meeting.

Regards, David